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FISH CAMP TOWN PLANNING AREA SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT


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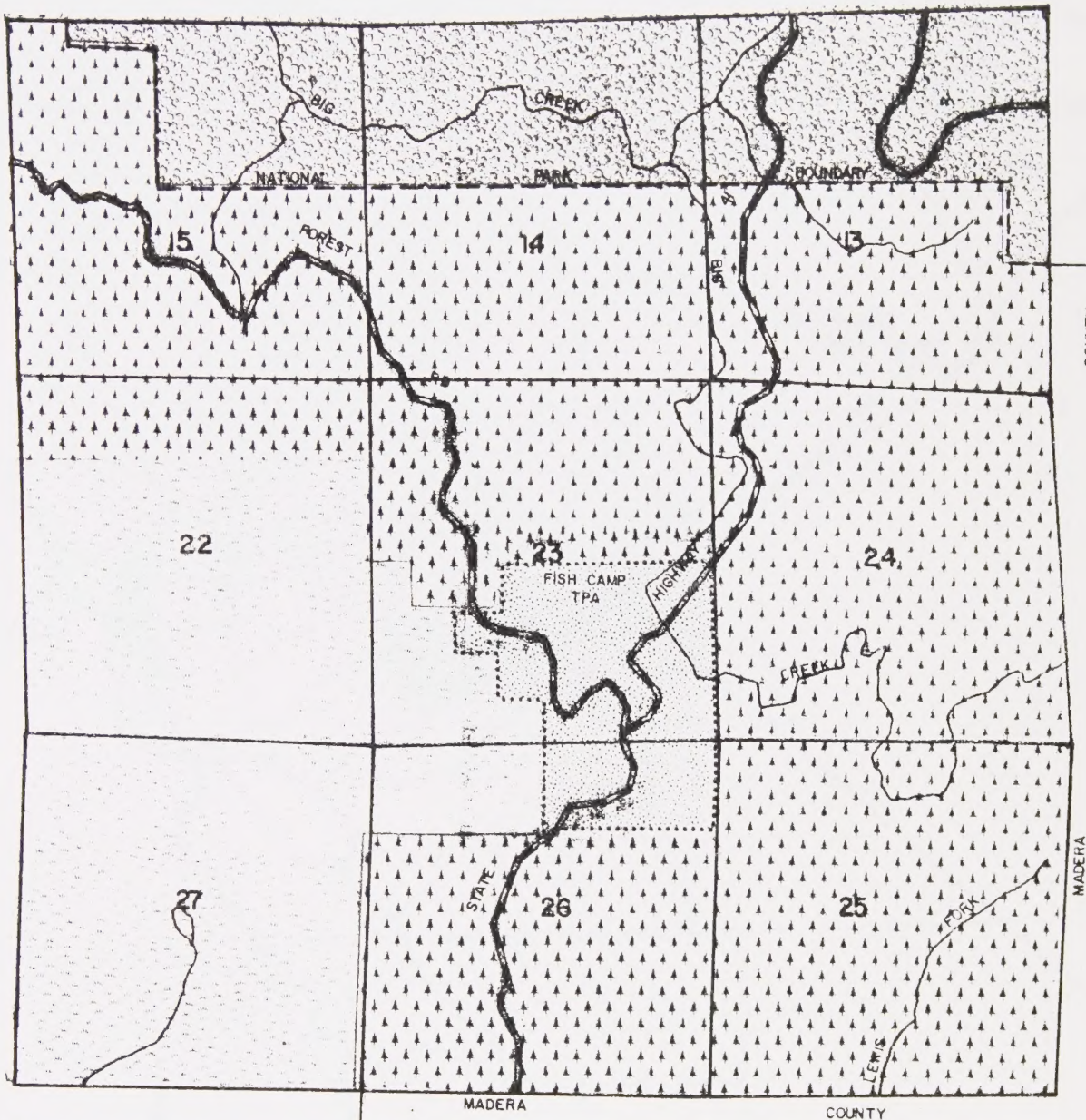
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



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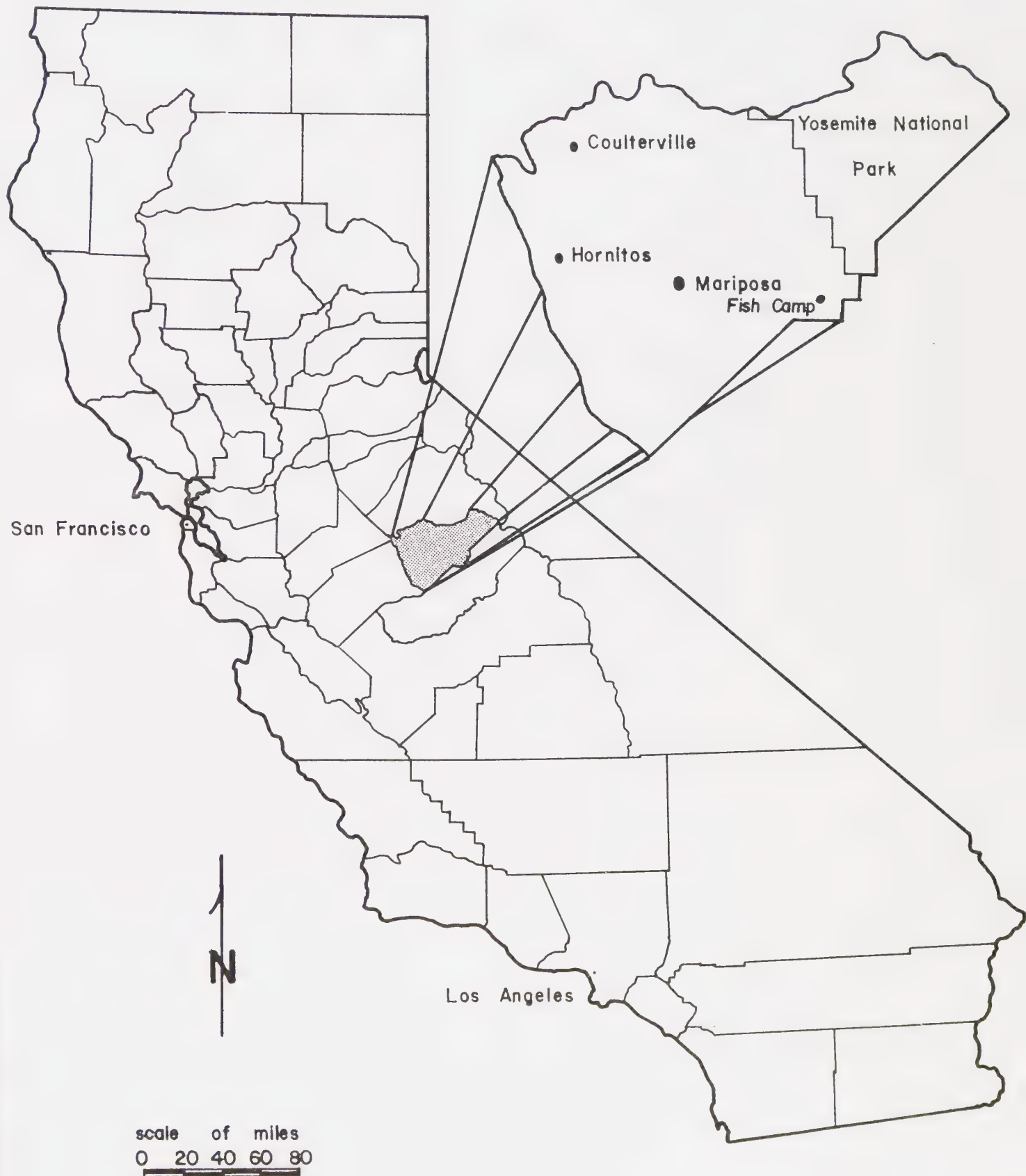
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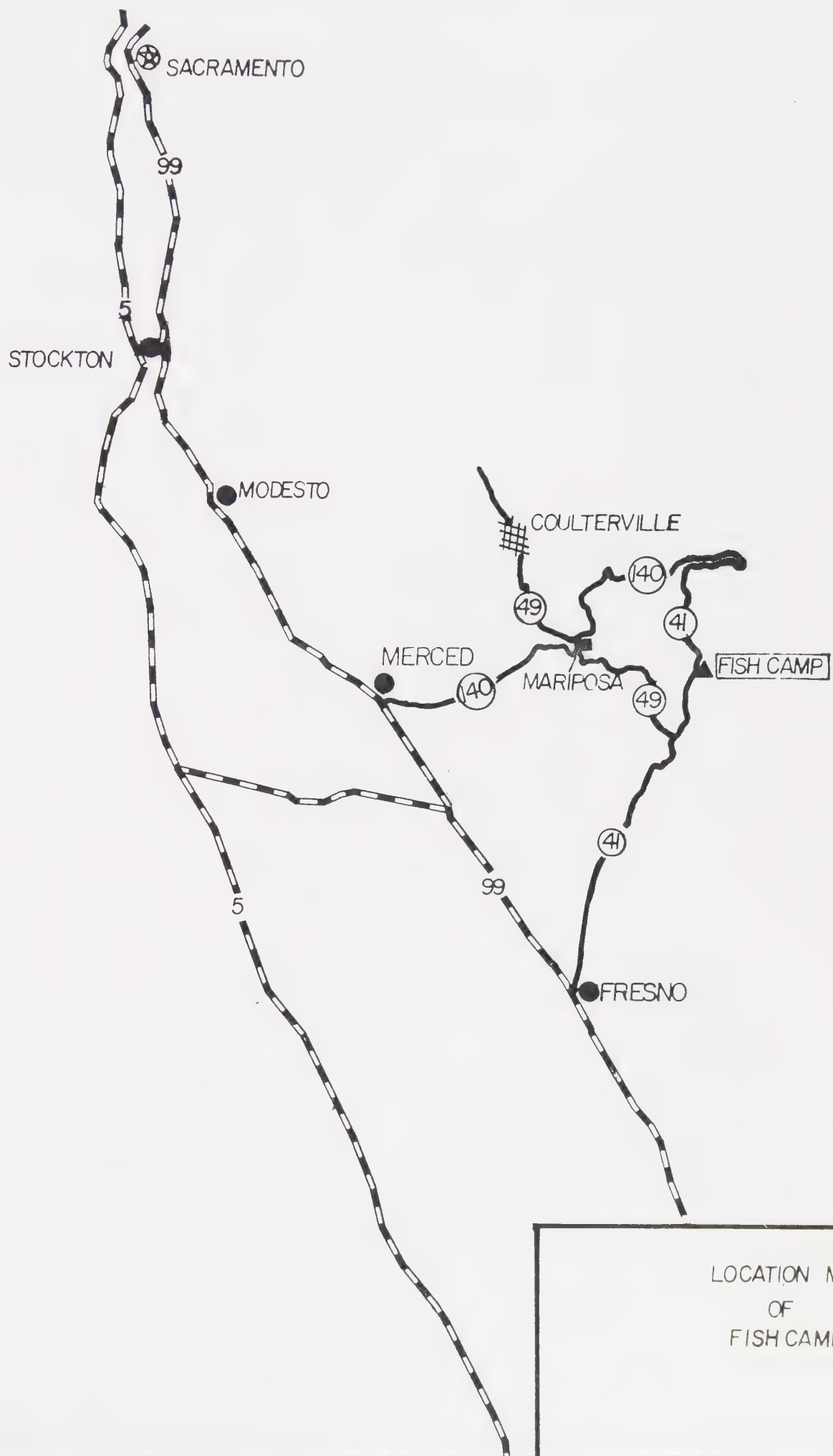
FISH CAMP TPA
REGIONAL LAND USE MAP

MARIPOSA COUNTY
PLANNING OFFICE

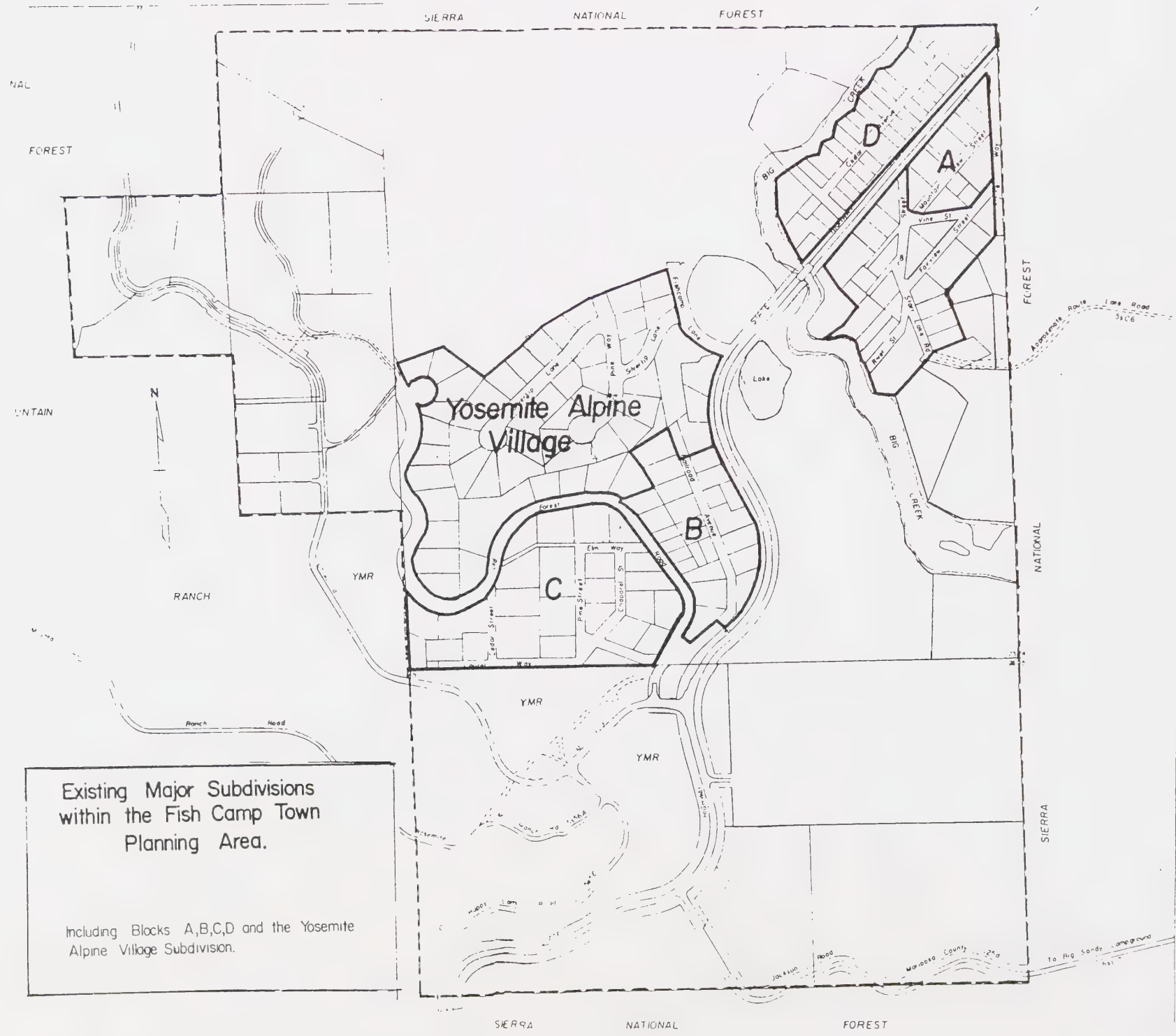
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LOCATION OF MARIPOSA COUNTY





LOCATION MAP
OF
FISH CAMP



Existing Major Subdivisions
within the Fish Camp Town
Planning Area.

Including Blocks A,B,C,D and the Yosemite
Alpine Village Subdivision.

I. INTRODUCTION AND BACKGROUND

The Town Planning Area (TPA) for the Fish Camp community was first established by the County General Plan adopted in February of 1978. In December, 1981, the 1981 General Plan Update was adopted by the County, and reaffirmed the creation of the Fish Camp TPA. The 1981 Update also reaffirmed the policy to create specific plans for all of the T.P.A.s to ensure orderly growth by developing specific land use policies as appropriate and necessary.

This document represents the culmination of a great deal of effort to provide a comprehensive specific plan for the Fish Camp community, as shown on Exhibit "A", and as depicted on the Map of the Land Use Element of the General Plan.

To provide for a maximum of public participation in the planning process to develop this Specific Plan (hereafter referred to as the Plan) for Fish Camp, a Community Planning Advisory Council (C.P.A.C.) was established. The C.P.A.C. representing all segments of the community, has held numerous public meetings from 1979 to date to identify and address numerous planning concerns, constraints and opportunities within the TPA. By way of this plan, and the suggested implementation strategies, it is hoped that future development in the TPA can be properly managed to everyone's benefit as residents and property owners.

II. PLAN AUTHORIZATION, ORGANIZATION AND SCOPE

This Specific Plan was developed as provided for under Government Code Section 65450 and through 65553. It contains detailed regulations, conditions, programs and proposed legislation which is necessary and convenient for the systematic implementation of the General Plan.

This plan embodies the requirements of numerous State laws which govern the contents of specific plans and which ensure that adequate environmental review is performed. The task has been to produce a document which is comprehensive, has continuity, and is understandable, while at the same time complying with the varied and fragmented State laws and regulations which govern such documents.

The plan incorporates all required and pertinent information relative to the preparation of an Environmental Impact Report (E.I.R.) as prescribed by the California Environmental Quality Act (C.E.Q.A.), the "State C.E.Q.A. Guidelines" as prepared by the Office of Planning and Research and, the State mandated County Environmental Review Policies and Procedures. In accordance with Section 15148 of the California Administrative Code (State "C.E.Q.A." Guidelines), the "California Environmental Quality Act Reference Index" is provided to identify specific sections within the report which meet the requirements for an E.I.R.

Information and policies contained in this Plan are intended to be utilized as a supplement to the Mariposa County General Plan and its Environmental Impact Report.

III. ENVIRONMENTAL SETTING

A. Description

The Town Planning Area of Fish Camp comprises 280 acres located in the Central Sierra Nevada Mountains. The community is situated on a low divide separating the Big Creek (Merced River) and Lewis Fork (Fresno River) watersheds. Elevations in the Town Planning Area (TPA) range from 4950 feet along Big Creek to 5300 feet in the northwestern portion. Terrain is quite steep to the west of Fish Camp, comprising the lower eastern slope of Hogan Mountain. Slopes to the east are less severe, climbing towards the High Sierra.

The Fish Camp TPA is virtually surrounded by National Forest Land and on the western boundary by large private timber holdings. Logging and sawmill enterprises historically operated in the area, providing lumber to the valley and beyond. Fish Camp merchants have traditionally provided services such as lodging, food and groceries and automotive services to visitors of nearby Yosemite National Park and the Sierra National Forest. These tourist related facilities are geared toward the summer visitors to these areas. However, winter recreational uses have become increasingly popular in the area, and the existing services have expanded to meet the demands of these visitors.

Fish Camp has developed into a resort-residential community beginning with the creation of over 100 lots in Blocks "A", "B", "C", and 39 lots in Block "D" in 1944, and 46 lots in the Yosemite Alpine Village tract in 1969. These lots have traditionally been developed with second homes, used mainly during the summer months, to enjoy the scenic beauty and recreational opportunities in the area. This life style has lead to community values that emphasize the importance of maintaining the natural aesthetic qualities of the area. The residents recognize the potential for growth, but only in a framework that maintains the scenic qualities of the area. A small permanent population (approximately 55) provides stability, vitality and leadership in Fish Camp community life.

B. Transportation

The community of Fish Camp is bisected by State Highway 41. This highway provides the southern access to Yosemite National Park. Highway 41 originates near Morro Bay, travels through Fresno, Oakhurst and Fish Camp to its terminus in Yosemite Valley. Daily use of the highway in Fish Camp averages 1550 vehicles per day with seasonal fluctuations of up to two times that amount (Cal Trans Traffic Volumes 1980). Chowchilla Mountain

Road provides secondary access to Fish Camp from Highway 49, South, although presently it is only passable in the summer months.

C. History

A brief history of the early inhabitants and developments of the Fish Camp area accompanies this document. See Appendix I.

D. Slopes and Topography

Fish Camp is located on the western slope of the Central Sierra Nevada Mountain Range, which characteristically have steep slopes caused by granitic uplifts, glacial action and stream down-cutting. The TPA has average slopes of approximately 20 to 25 percent. The steepest slopes are located west of Highway 41 in the extreme northeast corner of the TPA. Seasonal drainages cut from west to east in the western portion of the TPA and, in the central area, relatively flat meadow areas slope gently to the west side of Big Creek. The ridges generally trend north-south in the area, with the exception of the southern portion of the TPA which rests on the east-west ridge. In general, existing residential developments are located on the western and eastern slopes; commercial development is confined to the center and southern portion of the area.

E. Geology

The Fish Camp area is underlain exclusively with Mesozoic Granite. Estimates place the intrusion of this granitic mass from 64 to 135 million years ago. Although a relatively homogenous mixture, specific granitic rocks vary in structure and name depending on the amounts of feldspars, biotite, muscovite and quartz contained in them.

Near the northeastern portion of the TPA, remnants from andesitic volcano flows can be found. These flows are caused by andesitic eruptions from vents in the Sierra some 20 million years ago. Such flows were similar in appearance to hot mud and often followed stream channels. Such a flow has formed a low ridge north of Big Creek and east of Highway 41.

The granitic masses are subject to weathering through jointing patterns and exfoliation. Such weathering causes the large masses to break down into smaller fragments which can be subjected to rock falls, especially on steeper slopes.

The Five County Seismic Safety Element and the Mariposa County Seismic Safety Element list the Fish Camp area as a low risk area due to competent base rocks with favorable bedding and composition.

F. Hydrology

The Fish Camp TPA is divided between two major watersheds. Approximately 40 acres, located in the extreme south of the TPA, is a portion of the Lewis Fork and Fresno River Watershed. The remainder of the TPA, approximately 240 acres, is a portion of the Big Creek and Merced River Watershed. A low ridge divides the watersheds in this area. Early settlers in the Sugar Pine area built a canal to partially divert the flow from Big Creek into the Lewis Fork of the Fresno River. The original purpose of the diversion was to increase the water supply to Sugar Pine and to the flume for moving sawmill lumber to Madera. The canal and diversion system is still in use and is maintained by the Madera Irrigation District.

Big Creek meanders through the eastern portions of the TPA with an average flow of 12.0 cubic feet per second and a maximum daily discharge of 66 cubic feet per second (Water Resource Data for California, 1977). Several meadow areas (located in the southern and central area of the TPA) have well-defined seasonal drainages, flowing in an easterly direction into Big Creek. Two of these drainages have been artificially dammed to provide scenic and recreational attractions for the developed area of Fish Camp.

The entire Fish Camp area is underlain with Mesozoic Granite and does not contain ground water aquifers in the classic sense. In this type of geology, water travels through joints and fractures in the granitic masses and is contained there. As a general rule, the frequency and volume of the fractures decreases with depth (Ground Water Bearing Characteristics of Fractured Crystalline Rocks, Avery Swanson, May, 1972). Orientation of the fracture systems and uphill topography and geology have created several springs in the area surrounding Fish Camp. Presently much of the domestic water is produced by these springs.

G. Soils

Limited research has been performed on the soils in the Fish Camp area. The Sierra National Forest has conducted a preliminary soils resource inventory in the area which provides the information in this document. The majority of the soils in Fish Camp have been mapped as Chaix-Holland Associations. Both of these soils have been formed from a granitic parent material and contain the following characteristics:

Chaix Soils: These soils have grayish brown and brown, coarse sandy loam A horizons and light yellowish brown, coarse sandy loam B2 horizons and weathered granitic bedrock at a depth of approximately 30 inches. These soils range from 20 to 40 inches in depth to the contact with weathered granitic rock. These soils are well drained to somewhat excessively drained. Permeability on this soil is listed as moderately rapid with slow to rapid runoff depending on slopes and vegetation. Erosion hazard is listed as moderate to high, again depending on slopes.

Holland Soils: These soils have a grayish brown loam A horizon and a reddish brown clay and sandy clay loam B horizons that grade to strong weathered quartz diorite bedrock. The soils are usually about 60 to 80 inches thick to weathered granodiorite. Holland soils developed from residuals created by the weathering of coarse grained granitic rocks. These soils are well drained with moderate surface runoff. Internal drainage can be moderately slow in these soils. Erosion hazard on these soils is listed as high.

H. Vegetation/Climate

Vegetation: The majority of the Fish Camp area can be classified as the White Fir/Mixed Conifer community as identified in the Mariposa County General Plan Update Technical and Data Appendix. The predominant tree species in this community is White Fir (Abies concolor) with other common species being Sugar Pine (Pinus lambertiana), Incense Cedar (Calocedrus decurrens) and Black Oak (Quercus kelloggii). The understory in the heavily forested areas is comprised of Deer Brush (Ceanothus integerrimus), Snow Brush (Ceanothus cordulatus), Manzanita (Arctostaphylos spp.), and Mountain Misery (Chamaebatia foliolosa). The vegetation types and patterns in the forested regions have been affected by past logging operations and fires. Studies have correlated recreational and logging disturbances with increases in Incense Cedar seedlings and reductions in White Fir and Sugar Pine seedlings.

The seasonally wet meadows in the Fish Camp area have developed a distinct plant community which is associated with the constant high water table. Plants associated with these areas are commonly low growing grasses, forbs and sedges, and rushes. Plants common to this area include: Corn Lily (Veratrum californicum), Camas (Camassia quamash), Swamp Onion (Allium validum), Sierra Star Tulip (Calochortus nudus), Sierra Rein-Orchids (Habenaria leucostachys), Knotweed (Polygonus bistortoides), and Marsh Marigold (Caltha biflora). This plant community can be easily affected by vehicular and heavy foot traffic, livestock usage, and ground water withdrawal.

The banks of Big Creek support a sensitive and valuable riparian community. The transition between forest and riparian vegetation forms an ecotone that provides valuable wildlife habitat. Plants associated with this zone include: Black Cottonwood (Populus trichocarpa), Willows (Salix spp.), Water Birch (Betula occidentalis), White Alder (Alnus rhombifolia), Mountain Alder (Alnus tenuifolia) and Maple (Acer macrophyllum and glabrum). Grasses, sedges, forbs and rushes described above are also common in this plant community. The riparian plant community is reliant on an abundance of water to maintain itself. Large water withdrawals may have a devastating effect on the vegetation associated with these areas.

Rare and Endangered Plants

The California Native Plant Society Inventory of Rare and Endangered Vascular Plants of California lists four species of rare and endangered plants that may appear in the Fish Camp area. A description of the plants follows:

1. Allium yosemitense: Yosemite Onion. A low growing plant that sprouts from a bulb and blooms in June and July. This plant is endemic to California, rare but not considered endangered and is increasing or stable in its numbers.
2. Cypripedium montanum. Mountain Lady Slipper. This stout low growing plant has white flowers and oval leaves. This plant is considered endangered in a portion of its range and is declining in numbers.
3. Eriophyllum nubigonum. This member of the composite family is low growing with tiny yellow petals. It considered near extinction and is endangered throughout its range.
4. Lewisa congdonii. A stout, thick rooted perenial with basal leaves and rose colored flowers which bloom in May and June. This plant is considered endangered in a portion of its range and is declining in number.

A series of brief field observations by Planning Staff during the spring and summer of 1982 have revealed no evidence of the above listed species. Further study should take place and if located, such species should be protected.

Climate

The climate in Fish Camp is typical of the middle elevations in the Sierra. The area experiences warm summers and cold winters. July and August are traditionally the hottest months with an average daily maximum temperature of approximately 80°F. The coldest temperatures usually occur from December to March. Precipitation falls predominantly from October to April in the form of rain and snow. Snowfalls are heavy during the winter months. Table 1 below gives more detailed information on average temperatures, precipitation and snowfall, although somewhat outdated, this information remains valuable in reviewing general climatological data.

TABLE 1

Excerpted from Climate and Plant Climate
Map of Mariposa County, August 1966
(Data collected at Summerdale)

	Temperature F ⁰					Precipitation (inches)	Snowfall (inches)
	Highest	Ave. Max.	Ave.	Ave. Min.	Lowest		
Jan.	71	47.4	38.2	28.9	7	13.25	30.4
Feb.	70	47.1	38.0	28.9	4	7.82	28.2
March	71	47.4	38.2	29.0	10	11.86	41.3
April	78	55.4	45.0	34.5	14	3.95	8.9
May	90	60.8	50.2	39.5	21	2.11	3.6
June	90	70.9	59.4	47.8	26	.38	.1
July	98	80.1	67.5	54.9	36	.04	0
Aug.	92	79.4	66.8	54.2	39	.11	0
Sept.	93	73.2	60.7	48.2	29	1.28	.1
Oct.	86	61.4	51.3	41.1	20	3.09	3.2
Nov.	77	55.7	45.4	35.0	16	4.87	9.1
Dec.	76	49.8	40.2	30.6	12	5.79	15.6
Annual	98	60.7	50.1	39.4	4	54.55	140.5

Growing Season

The Fish Camp area has an average growing season of approximately 125 days. In spring, the average date of last 32° freeze is approximately May 31 and the first 32° freeze in fall is approximately October 10 (Climate and Plant Climate Map of Mariposa County, University of California Agricultural Extension Services).

I. Governmental Organization and Services

Fish Camp, an unincorporated community, is governed by the County of Mariposa. At present, the community of Fish Camp is entirely within Supervisorial District 1, California State Assembly District 30, State Senate District 14, and U. S. Congressional District 15. The Fish Camp area, on the southwest boundary of Yosemite National Park, is far removed from the County seat of Mariposa. Travel time varies with weather conditions with a minimum of one hour. Due to the location of Fish Camp, some difficulties exist in providing adequate County administrative and special services to the area. Current public services are provided as follows:

1. Schools: At the present time, primary students are bused to the Wawona School, a distance of approximately 10 miles. Junior High School students have the option of attending school in Bass Lake, approximately 14 miles to the southeast, or Wawona. High School students attend Yosemite High School in Oakhurst, Madera County, approximately 13 miles to the south.
2. Law Enforcement: The Mariposa County Sheriff Department maintains a full-time deputy in Wawona who provides law enforcement services to Fish Camp. Emergency backup services are provided from Mariposa and Madera County Sheriffs. The California Highway Patrol also patrols Highway 41 in the Fish Camp area.
3. Fire Protection: Fire protection services are provided by the Fish Camp Volunteer Fire Department which is under the jurisdiction of the County Fire Warden. Additional manpower and equipment is available from C.D.F., the U. S. Forest Service, the National Park Service and nearby volunteer units.
4. Road Maintenance: Road maintenance in Fish Camp is provided by Cal Trans, Mariposa County, the Yosemite Alpine Community Service District and private land owners. Snow removal is currently provided by Cal Trans on Highway 41. Mariposa County provides snow removal services on the existing County roads. Non-County roads have obtained snow removal services through contracts with the County and with local businessmen.
5. Health Care: No health care facilities are available in Fish Camp. Such services are available in Oakhurst (13 miles), Yosemite Valley (33 miles), Mariposa (40 miles), and Fresno (60 miles). The nearest ambulance service is located in Oakhurst. The Fish Camp Volunteer Fire Department maintains oxygen equipment and trained volunteers in first aid and C.P.R.
6. Water: Three separate water systems, in addition to private wells serve the Fish Camp area. Water is obtained from surface springs and underground wells. A more detailed discussion of the present domestic water facilities is available in Section K (Water and Sewage Disposal) of the Environmental Setting.

The present and future possibilities and difficulties for providing adequate public services to the residents of Fish Camp will be addressed in Section VII, Issues and Opportunities and Section VIII, Implementation.

J. Population and Growth

At the present time, the majority of the residences in Fish Camp are utilized as second or vacation homes and are occupied infrequently, or on a seasonal basis only. Normally the population in the community increases significantly during the summer months and holiday periods. Cold weather, snow, and access problems created by winter storms keep many of the seasonal residents at home. Accurate information on the number of permanent year-round residents in the community is unavailable, but estimates place the number at approximately 50 people.

Presently, there are 147 single family homes in Fish Camp. One hundred thirty-five of these homes are built on small parcels created by the Fish Camp and Yosemite-Alpine subdivisions. These lots are small, ranging from .10 to 1.3 acres. Sixty-nine undeveloped lots (some may not be improvable because of present building code requirements) remain in these subdivisions. Under the existing rural residential land use classification none of these parcels could be further subdivided.

Thirty-one additional parcels are located within the Fish Camp TPA boundaries ranging in size from .47 to 43.4 acres. Presently, there are homes on twelve (12) of these parcels; and, eight (8) parcels have commercial uses. Also, there are 8 undeveloped parcels that cannot be further subdivided and, 5 on which further subdivision could take place assuming adequate septic disposal areas, suitable access, environmental factors, etc.

Under present land use regulations, population growth in the TPA is difficult to estimate. It is likely that the permanent population will remain relatively small. However, it should be noted that the permanent population could grow significantly as towns in nearby Fresno and Madera Counties continue to grow, with Fish Camp expected to become somewhat of a retirement and bedroom community for the area. Significant growth of the permanent population in Fish Camp could create additional public service demands and environmental impacts.

K. Water and Sewage Disposal

Water: Presently, there are three primary water supply systems that operate as separate entities which, in addition to private wells, supply all of the domestic water to the community of Fish Camp. A description of the three major water suppliers follows:

1. Fish Camp Mutual Water Co.

The system is owned by the users. A spring is the primary water source. They also have 3 wells; one drilled in 1976 to a depth of 180 feet; another drilled in 1973 to 360 feet; and a third drilled

in the mid 1950's to approximately 100 feet, providing about 16, 12, and 10 gallons of water per minute, respectively. The system includes 4 storage tanks, two 35,000 gallon steel tanks and 2 red-wood tanks of 15,000 and 10,000 gallons. Most of the transmission lines are galvanized steel with some PVC. Parts of the system vary somewhat in age. The mutual was formed in the late 1940's and components have been replaced and added to since then. The facility now has capacity for approximately 93 connections and serves Blocks A, B and C of the Subdivision. Additional Storage facilities are planned.

2. Silvertip Lodge Water System

The system is owned by Robert O. Keller and serves the Silvertip Lodge commercial complex and a residential section of the community north of there and on the west side of Highway 41. The system has the Silvertip commercial complex and approximately 25 connections in Block D Subdivision. Its water source is springs located in the Sierra National Forest. The water is collected in a 90,000 gallon metal storage tank and is chlorinated as it flows by gravity to a 5,000 gallon secondary tank. It is filtered before entering the distribution system of galvanized steel and PVC pipelines.

3. Yosemite Alpine Community Service District

The system was built in Fish Camp under the Community Service District Act and is maintained by a Board of Directors elected from the voters in the district. The water source is two wells drilled in 1969 which flow through a distribution system of 4" to 8" transite and PVC pipe into two 43,000 gallon tanks. The system was designed for 46 connections in the Yosemite Alpine Village subdivision.

Sewage Disposal: Sewage disposal in Fish Camp is provided for entirely by individual septic tanks and underground leach field systems. The proper performance of these systems is of critical importance to the community considering the proximities of Big Creek and other tributaries.

IV. PRINCIPLES OF PLAN ADMINISTRATION

The overall goal for the development of the Fish Camp community is best described by the General Plan of Mariposa County:

"To provide for the greatest obtainable convenience, prosperity, health, safety, comfort, peace, morals and general welfare of the present and future residents and visitors to the County."

This section of the Fish Camp Community Plan will discuss planning issues that affect the community and propose policies and programs for the implementation of the goals, objectives and standards established within this document.

A. General Planning Issues

The Fish Camp community has expressed a strong desire to establish and maintain local input and review of land use planning policies and regulations that are developed and administered by the County of Mariposa in accordance with California State law. The County of Mariposa, with the development of this plan, in cooperation with the residents of Fish Camp, supports the concepts of local community participation in planning Fish Camp policy development.

To continue this cooperation and local participation through the administrative/enforcement phases of this plan's implementation, the following program is recommended:

A committee, appointed by the Board of Supervisors of Mariposa County, shall be permanently established as an advisory body to the Planning Commission. The committee should be made up of a representative cross-section of the Fish Camp community and should consist of at least nine members. Each member shall serve for a three year period, on a rotating basis. The rotating first term of office should be determined by lot, i.e., three members would serve one year, three members would serve two years, and three members would serve three years. Committee members may be appointed for more than one term. The committee shall elect the chairman.

Duties of this committee shall be:

Review, maintain and recommend updating as necessary the standards, programs and specifications of the Fish Camp Community Plan.

At least one meeting annually should be held by the Fish Camp Community for the purpose of:

1. Revising the effectiveness of policies, programs and strategies identified in this plan.
2. Identifying community issues and concerns, and discussing possible solutions.
3. Preparing a set of recommendations or guides to County officials for the improvement of the quality of life in Fish Camp.

Meetings may be called at the discretion of the chairman for items of concern or interest, or upon the referral of a matter by either the Planning Commission or the Board of Supervisors.

Planning Department services, applications and information should be made available on a regular basis in the community of Fish Camp.

B. Upgrading and Updating Plan

In recognition of the reality that the planning process is dynamic and ongoing, the following policy has been developed:

In future years, special studies will be conducted to upgrade this document with the intent of addressing issues such as (but not limited to):

1. Community services/facilities.
2. Housing construction/rehabilitation needs.
3. Circulation, transportation and travel needs.
4. Business improvement and economic development.

Upon the advice of the Fish Camp advisory committee, the Planning Commission shall review the effectiveness of the Fish Camp Planning program and take such actions as may be necessary to improve it.

C. Policy Implementation

This plan identifies a multitude of issues and prescribes policies and programs that require implementation. Certain policies require development of precise legislation. This section is intended to provide a guide to such implementation strategies:

Zoning: A general zoning ordinance should be developed that implements such residential and commercial standards as prescribed in this plan.

Permit Review: Building permits, subdivisions, use permits, variances and other discretionary actions of the County of Mariposa should be thoroughly reviewed and a consistency finding made with respect to this plan's policies and programs.

V. OBJECTIVES OF THE PLAN

In addition to the overall goal established in Section IV, the following objectives are intended to support that goal:

1. To provide for an orderly expansion of the community of Fish Camp.
2. To provide for, and promote, planned commercial and residential development within the Fish Camp TPA.
3. To promote the recreation and tourist industry of the community.
4. To preserve and protect the historical sites and structures of the community for the benefit of future generations.
5. To promote and provide an effective and safe circulation system within the community.
6. To preserve and protect the fragile ecology of the community specifically with respect to the hillsides of the TPA and Big Creek.
7. To promote and provide adequate and cost effective public services such as fire protection, public roads, water and sewer services, and snow removal.
8. To develop an adequate program for the evaluation of public buildings and facility needs.
9. To ensure a safe and healthful environment for residents and visitors alike.
10. To promote a diversity of housing types to meet the lifestyle of present and future residents.

VI. LAND USE POLICIES AND STANDARDS

As a primary means of accomplishing the goals and objectives described in the preceding section, a land use policy has been developed. This policy describes the various uses of land within the Fish Camp Community Planning Area that will be permitted, and standards of development. This section will describe the various land uses by type of use.

A. Resort Commercial Land Use Classification

1. Permitted Uses

- a. One single family dwelling unit for each Resort Commercial land parcel, subject to all requirements for the Residential one acre Land Use Classification.
- b. Accessory buildings incidental to permitted uses.

2. Conditional Uses

- a. Motels, hotels, lodges, RV parks and multi-family dwelling units subject to lodging unit density standards (See VI A 3 f of this document) which are of a mountain resort nature and are compatible with the Fish Camp area.
- b. Commercial recreation facilities compatible with the natural environmental setting.
- c. Recreational and sports equipment sales and rentals, provided that all storage of equipment and the conducting of business be within a building.
- d. Restaurants.
- e. Food stores including groceries, delicatessens, bakeries and liquor stores.
- f. Gift and souvenir shops.
- g. Real estate or other professional offices.
- h. Service stations.
- i. Campgrounds.
- j. Other uses of a resort commercial nature, consistent with the above.

3. Resort Commercial Development Standards

a. Minimum Lot Area

There is no minimum lot area defined for Resort Commercial uses.

Lot area standards are based upon the type of commercial use, the needed parking areas, loading areas and storage facilities required. In all instances, however, when a commercial lot or parcel is used for residential purposes, minimum lot area shall conform with the residential development standards.

b. Front, Back and Side Yard Setback Requirements

Resort commercial lots shall not be required to provide side yard setbacks except where a Resort Commercial lot abuts a Residential lot. In this instance, the setback of the Resort Commercial lot on the side bordering on a Residential lot shall be 15 feet.

Front setbacks shall be a minimum of 30 feet from the center-line of a community street, or 10 feet from the easement boundary of a State Highway. This setback area shall not be used for off-street parking purposes. All off-street parking in the front of a Resort Commercial structure shall have adequate ingress and egress with respect to the abutting street or highway. Setback areas may be used for such ingress and egress.

Rear yard areas are not required, provided that adequate loading areas can be provided in front yard or side yard areas. Street-side loading and unloading areas shall be discouraged. In the instance where a Resort Commercial lot abuts a parcel which is designated as being located in a Residential land use classification, front and rear yard requirements shall be the same as the abutting parcel standards.

c. Sign Standards

No sign shall be placed, erected, altered or relocated on any property within the Fish Camp Community Planning Area as indicated in the Fish Camp Community Planning Area Specific Plan, unless such sign shall, as to its exterior appearance and location, be compatible with the mountain resort atmosphere of the Fish Camp area, and unless it shall comply with all of the following requirements:

1. Each sign shall be affixed to a building except that where the building is set back from the street, or where a building is not easily visible, then a sign need not be so affixed, but may be located in some other manner as the Planning Commission shall approve.
2. No sign shall project above the eave or parapet line of the building to which it is affixed.
3. No single sign shall exceed thirty-two (32) square feet in area.
4. The aggregate area of all signs of any one business entity shall not exceed ninety-six (96) square feet.
5. The area of an irregular shaped sign shall be the area of the smallest rectangle which can wholly contain the sign.
6. No sign shall contain any flashing, blinking or moving letters, lights, characters or other elements, and the sign itself shall not move.
7. No sign shall contain any lighted outline tubing, internal lighting or be constructed of plastic.
8. Signs may be spotlighted or floodlighted if the source of such lighting is not visible.

9. No sign illumination shall be of such intensity that is objectionable and out of character with surrounding uses as determined by the Planning Director.
10. Materials used in sign construction:
 - a. Signs may be constructed of metal, wood or stone with letters or designs painted, carved or applied on them.
 - b. There shall be no fluorescent or similar light-reflecting paint used on any signs.
 - c. Brackets or standards shall be constructed of wood.
 - d. Any material may be substituted for the materials specified in subsections a. and c. above, provided that it can be made to appear like a specified material.
11. No free standing sign shall extend more than twenty-seven (27) feet above ground level.
12. Signs placed inside a window for the purpose of attracting attention to a business shall be considered to be exterior signs and shall be covered by all standards heretofore described.
13. The provisions of these review standards shall not apply to the following signs:
 - a. Official notices issued by a court or public body or officer, and notices posted by any public officer in the performance of a public duty, or any person in giving legal notice, or by any person or public body in placing signs for safety purposes.
 - b. Directional signs not exceeding four (4) square feet in area for off-street parking and loading facilities, and for public facilities.
 - c. Signs not exceeding four (4) square feet in area pertaining to the sale, lease or rental of the property on which such signs are placed.
 - d. Temporary political, election, or campaign signs not exceeding four (4) square feet in area, provided that such signs shall be removed within two weeks after the election.
 - e. Temporary construction signs, not exceeding twenty-four (24) square feet, identifying a building under construction, or the contractor or architect therefore, provided that such a sign shall be removed upon the expiration of six (6) months after its erection, or upon the completion of the building, whichever event shall first occur.

- f. Signs proclaiming "OPEN" or "CLOSED" or giving business hours of business establishments, not to exceed two square feet in area for each business, and provided that no such sign shall contain any lighted outline tubing.
 - g. Exterior signs giving directions for opening doors, or pointing out safety hazards such as steps, glass doors, etc.
14. Community information boards not to exceed ninety-six (96) square feet in area may be located within the Fish Camp Community Planning Area. Such signs may include a map of the community, the location of groups and civic organizations such as churches and clubs, and matched business advertisements, each of which may not exceed two (2) square feet in area.

d. Off-Street Parking Standards

The following parking space minimum standards shall be applicable to all areas within the Fish Camp Community Planning Area which carry a Resort Commercial Land Use designation:

- 1. Motels, Hotels, Lodging Houses or other facilities providing sleeping accommodations: One space for each guest room, or for each two beds, whichever is greater.
- 2. Offices: One space for each 200 square feet of gross floor area, except for floor area used exclusively for storage or truck loading.
- 3. Retail Stores and Service Establishments: One space for each 100 square feet of gross floor area except for floor area used exclusively for storage or truck loading.
- 4. Restaurants, Bars, Soda Fountains and Similar Establishments: One space for each 100 square feet of gross floor area plus one space for each three employees.
- 5. Outdoor Recreational Facilities: To be determined by the Planning Commission on a case-by-case basis.

e. Height Standards

The vertical distance from the uphill side of a building to the highest point of a building shall not exceed 35 feet above the natural grade line. (Refer to VI B6e1 for illustration)

f. Lodging Unit Density Standards

1. Hotel, Motel, Motorlodge, Recreational Vehicle Parks and Campground densities, including multi-family dwelling units located in the Resort Commercial Land Use Classification will be subject to the following density standards:
 - a. One lodging unit (L.U.) shall be permitted for each 5,000 square feet of net lot area.
 - b. For purposes of this density standard, "net lot area" shall mean the net area of the lot or parcel, excluding street and road easements, existing dwellings, dwelling groups or other structures and improvements existing on the lot or parcel and intended for future use.
 - c. Lodging unit is defined as one standard motel, hotel, or lodge guest room, one camp site, one RV space, or one multi-family dwelling unit.
 - d. 15% of the net lot area may be utilized for lodging development. An additional 25% of the net lot area may be utilized for additional development which may include additional parking areas, restaurants, lounge, swimming pools, tennis courts, or other improved recreation facilities or commercial uses in support of the lodging use. The remaining 60% of the net lot area shall be utilized for purposes of open space, unimproved recreation such as hiking and riding trails, picnic areas or other similar uses.

B. Residential Land Use Classifications

1. Single Family Residential - 1/2 acre Land Use Classification

a. Permitted Uses

- (1) One Single family residence per parcel.
- (2) Accessory buildings incidental to permitted uses.

b. Conditional Uses

- (1) Home occupations in conformance with Section VI B6g of this document.

- (2) Utility substations designed to serve the adjacent areas.
 - (3) Neighborhood parks and open space.
 - c. Minimum Lot Area: One-half acre.
- 2. Single Family Residential - One acre Land Use Classification
 - a. Permitted Uses
 - (1) One single family residence per parcel.
 - (2) Utility substations designed to serve the adjacent areas.
 - (3) Neighborhood parks and open space.
 - b. Conditional Uses
 - (1) Home occupations in conformance with Section VI B6g of this document.
 - (2) Utility substations designed to serve the adjacent areas
 - (3) Neighborhood parks and open space.
 - c. Minimum Lot Area: One acre.
- 3. Rural Residential - 2 1/2 acre Land Use Classification
 - a. Permitted Uses
 - (1) One Single family residence per parcel.
 - (2) One guest house per parcel.
 - (3) The raising and maintenance of small livestock, small animals, birds, and/or fowls for the domestic use of the property owner or tenant, provided that none are maintained closer than 100 feet to any residence or allowed to become a public or private nuisance.
 - (4) One permanently maintained large animal for each one (1) acre of land.
 - (5) Accessory buildings incidental to permitted uses.
 - b. Conditional Uses
 - (1) Home occupations in conformance with Section VI B6g of this document.

(2) Utility substations designed to serve the adjacent areas.

(3) Neighborhood parks and open space.

c. Minimum Lot Area: 2 1/2 acres.

4. Rural Residential - Five acre Land Use Classification

a. Permitted Uses

(1) One single family residence per parcel.

(2) One guest house per parcel.

(3) The raising and maintenance of small livestock, small animals, birds, and/or fowls for the domestic use of the property owner or tenant, provided that none are maintained closer than 100 feet to any residence or allowed to become a public or private nuisance.

(4) One permanently maintained large animal for each one (1) acre of land.

(5) Accessory buildings incidental to permitted uses.

b. Conditional Uses

(1) Home occupations in conformance with Section VI B6g of this document.

(2) Utility substations designed to serve the adjacent areas.

(3) Neighborhood parks and open space.

c. Minimum Lot Area: Five acres.

5. Multi-Family Residential Land Use Classification

a. Permitted Uses

(1) One single family residence per parcel.

(2) Accessory buildings incidental to permitted uses.

b. Conditional Uses

- (1) One multi-family dwelling unit per every 5,500 square feet of lot area.
- (2) Home occupations in conformance with Section VI B6g of this document.
- (3) Utility substations designed to serve the adjacent areas.
- (4) Neighborhood parks and open space.

c. Minimum Lot Area: One- half acre.

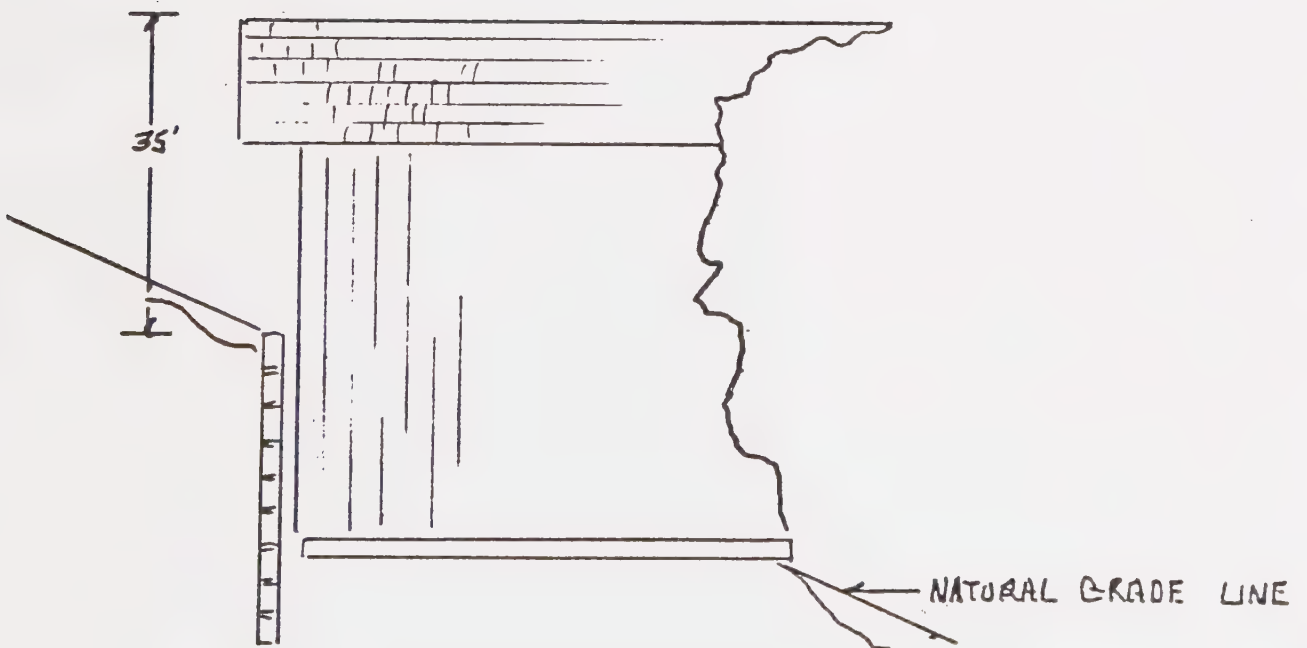
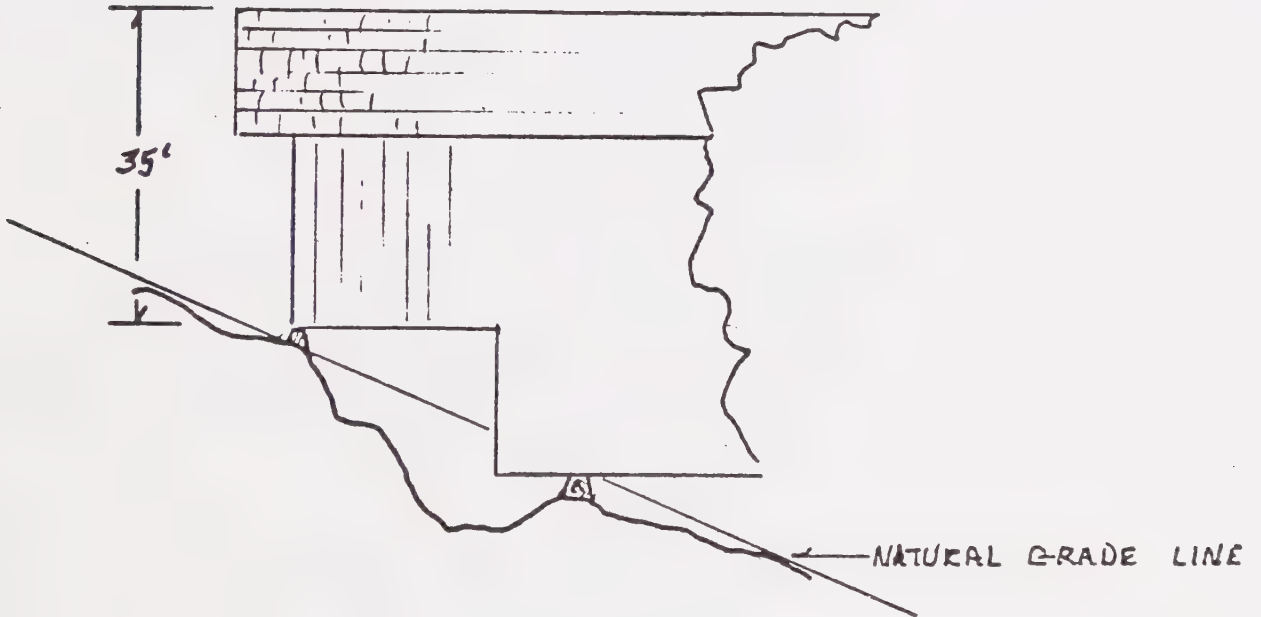
6. Residential Area General Development Standards

a. Front, Back and Side Yard Setback Requirements

- (1) Front Yard Setback Requirements: All structures must be located at least 50 feet from the centerline of the facing street, or 20 feet from the front property line, whichever is greater.
- (2) Side Yard Setback Requirements: All structures must be located at least 10 feet from interior side property lines. A side yard on a corner lot, facing on a street or highway, shall conform to the same requirements as in the front yard setback on the same lot.
- (3) Rear Yard Setback Requirements: All structures must be located at least 20 feet from the rear property line.
- (4) Sidewalks, walkways, driveways, parking decks and similar structures shall be allowed within the frontyard setback area subject to approval by the Planning Director and the appropriate agency with jurisdiction over the fronting road. Such structures shall be allowed if they are at a similar or lower grade as the abutting road and the following findings are made: (a) the proposed structure will not obstruct sight distance for vehicles traveling along the road and/or vehicles backing into the road; (b) the proposed structure will not conflict with identified road widening projects; (c) that approval for all affected utilities has been obtained for any structure encroaching onto a public utility easement.

In no case shall a structure encroach into a road right of way.

Examples of Complying Buildings:



- (5) Garages, carports, sheltered parking and covered walkways may be constructed in front yard areas providing:
 - (a) Carports shall have no enclosing walls higher than three (3) feet above the walking or parking surface;
 - (b) Garages may be considered providing sight distance standards are satisfied, and the location is approved by the Road Division of the Public Works Department. A variance to these standards shall not be approved;
 - (c) The structure is located no closer than five (5) feet from the property line or the edge of the street easement or right of way offered for dedication;
 - (d) The structure is for the exclusive use of the property owner or esident for the purpose of vehicular parking and/or pedestrian access.
 - (e) Parking of motorhomes and travel trailers is prohibited in the setback area.
 - (f) Parking structures shall be constructed of materials compatible with the residence it serves as determined by the Planning Director.

b. Distance Between Buildings and Accessory Uses and Structures

- (1) There shall be a minimum distance of 100 feet between livestock stables, barns, pens or corrals and places of human habitation, schools or parks on adjoining property.
- (2) There shall be a minimum distance of 25 feet between buildings used for residential purposes.
- (3) There shall be a minimum distance of 10 feet between a building used for residential purposes and an accessory building.

c. Fences, Walls and Hedges

- (1) Fences, walls and hedges shall not exceed seven feet in height except that they shall not exceed four feet in height when located within the front yard setback requirement, or within the street side yard setback requirement on a corner lot.
- (2) Fences, walls and hedges located adjacent to a road right-of-way shall be composed of non-hazardous material.

d. Off-Street Parking Requirements

- (1) Single Family Dwelling Units: One off-street parking space shall be provided for every 1,000 square feet of residence, rounded off to the nearest 1,000 square feet, with a minimum of two off-street parking spaces per single family dwelling unit.
- (2) Multi-Family Dwelling Units: Two off-street parking spaces shall be provided for every multi-family dwelling unit.
- (3) All required off-street parking spaces within residential areas shall be encouraged to be located as to be easily accessible from the street when there is snow on the ground.

e. Height Standards

- (1) The vertical distance from the uphill side of a building shall not exceed 35 feet above the natural grade line.

f. Sign Standards

- (1) Only signs for a non-commercial nature shall be permitted in a residential land use, except that a commercial sign, advertising a commercial use which does not have frontage to Hwy 41, may be allowed subject to the approval of a conditional use permit.
- (2) No sign shall exceed two square feet in area, except when a home occupation, bed & breakfast or transient rental use has been permitted. All signs shall comply with the sign standards in Section VI B 6 g 3.

g. Home Occupation Standards Requirements

- (1) Prior to the establishment of a Home Occupation activity a notice of intent to establish such an activity shall be filed with the Mariposa County Planning Department. Thereafter, the Planning Department shall post a notice of proposed activity on the subject property in a conspicuous manner for a period of not less than fifteen (15) days and a copy of such notice shall be mailed to all property owners within 300 feet of the exterior property lines of the parcel containing the proposed activity.

The filing of a petition with the Planning Department on a County approved form signed by fifty percent (50%) of the property owners within 300 feet of the exterior property lines of the parcel containing the proposed activity protesting such application within twenty (20) days after such notice has been mailed shall require the proposed activity to obtain a conditional use permit.

In the absence of such a petition (as described above), the planning Department shall issue a notice of approval to the applicant providing that all requirements as set forth herein have been satisfied.

(2) Land Use Provisions

This shall mean a use which is customarily carried on within a dwelling by the inhabitants, which use is clearly incidental and secondary to the residential use of the dwelling and which use:

- a. Is confined completely within the dwelling and occupies not more than Thirty-three (33) percent of the gross habitable area of the residence.
- b. The activity is operated only by the individual or family occupying the dwelling.
- c. Home occupation shall have two (2) on-site parking spaces for the residence plus two (2) additional on-site parking spaces for home occupation activities that generate additional parking demand as determined by the Planning Director.
- d. On-site parking spaces provided shall be maintained so that they are accessible and usable at all times during the year when the home enterprise is open for business.
- e. Any additional, modification or extension to a home occupation dwelling shall be visually compatible with the existing structure as determined by the Planning Director.
- f. Results in no evidence of its existence in the external appearance of the dwelling or premises, or in the creation of noise, odors, smoke or other nuisances to a degree greater than that which is normal for the neighborhood in which such use is located.

g. Does not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which such use is located.

h. Satisfies the requirements of the Mariposa County Building Division of Public Works and the State Fire Marshal.

(3) Sign Standards

a. A sign of not more than four (4) square feet shall be posted and clearly visible from the nearest road. The sign shall require the street address and may contain the name of the owner or the establishment.

b. The area of an irregular shaped sign shall be the area of the smallest rectangle which can wholly contain the sign.

c. No sign shall contain any lighted outline tubing, or be internally illuminated or constructed of plastic.

e. Signs may be spotlighted or floodlighted if the source of such lighting is not visible.

f. No illumination shall be of such intensity that is objectionable and out of character with the surroundings as approved by the Planning Director.

g. Signs shall be located no more than eighty-four (84) inches above the ground when mounted to a post; and below the height of a roof eave when located on a building.

h. Materials used in sign construction:

(i) Signs maybe constructed of metal, wood or stone with letters or designs painted, carved or applied on them.

(ii) There shall be no fluorescent or similar light-reflecting paint used on any signs.

(iii) Brackets or standards shall be constructed of wood.

(iv) Any material may be substituted for the materials specified in subsections a. and c. above, provided that it can be made to appear like a specified material.

C. Public-Quasi Public Land Use Classification

1. Permitted Uses

- a. One single family residence per parcel subject to all requirements for the single family residential one (1) acre land use classification.
- b. Accessory buildings incidental to permitted uses.

2. Conditional Uses

- a. Utility yards and substations.
- b. Schools and public libraries.
- c. Churches.
- d. Parks, playgrounds and recreational facilities of a non-commercial nature.
- e. Community centers.
- f. Police and fire stations..
- g. Other uses of a public nature.

3. Public-Quasi Public Development Standards

a. Front, Back and Side Yard Setback Requirements

- (1) Front Yard Setback Requirements: All structures must be located at least 50 feet from the center-line of the facing street, or 20 feet from the front property line, whichever is greater.
- (2) Side Yard Setback Requirements: All structures must be located at least 10 feet from interior side property lines. A side yard on a corner lot, facing on a street or highway, shall conform to the same requirements as in the front yard setback on the same lot.
- (3) Rear Yard Setback Requirements: All structures must be located at least 20 feet from the rear property line.

b. Off-Street Parking Standards

The following parking standards shall be applicable in all areas carrying a Public-Quasi Public Land Use classification designation:

- (1) Schools (not including high schools): One space for each employee and each faculty member, and adequate areas for bus loading and unloading, plus the number of additional spaces prescribed by the Planning Commission if the school has a potential of being used for community meetings, adult education classes, etc.
- (2) Public or private permitted uses incorporating indoor or outdoor assembly or spectator areas, such as churches, auditoriums, theaters, playing fields, shall have one off-street parking space for each four fixed seats in the assembly or spectator area, plus one off-street parking space for each 28 square feet of assembly or spectator area in which no fixed seats or benches are maintained.
- (3) Offices: one space for each 200 square feet of gross floor area, except for floor area used exclusively for storage or truck loading.
- (4) Public buildings, grounds, utility structures and installations other than administrative offices: One off-street parking space for each three employees, plus the number of additional spaces prescribed by the Planning Commission.

c. Sign Standards

All signs erected in the Public-Quasi Public Land Use Classification shall conform to the General Sign Standards contained in Section VI A 3 c.

d. Height Standard

The vertical distance from the uphill side of a building shall not exceed 35 feet above the natural grade line.

D. General Forest Land Use Classification

This land use is applied to property presently located in the Timber Production Zone.

1. Regulation

As set forth in Section 3.505 of the Mariposa County General Plan.

E. Planned Unit Development Overlay, Land Use Classification

1. Intent

The intent of this land use classification is to provide

an alternate development procedure which would reflect the unique characteristics of the Fish Camp community and would preserve the natural environment by minimizing site disturbance and encouraging the establishment of open space. Procedures for obtaining a Planned Unit Development are contained in Appendix 4.

2. Application

- a. All areas of Fish Camp will be encouraged to develop in accordance with Mariposa County Code as to the formation of a Planned Development Zone.
- b. All proposed Planned Unit Developments shall comply with land use, height and off-street parking standards of the primary land use classification for the affected area.
- c. Planned Development regulations may address density and bulk (set-back) standards to encourage cluster, common wall and condominium construction that would minimize site disturbance and encourage dedication of open space. Any changes in maximum density standards must reflect the intent of the affected land use classification in combination with the express purposes for which Planned Development is encouraged.

F. Land Use Classifications as applied to Forest Service Transfers on Adjacent Properties

Should the situation arise where the U. S. Forest Service effects a land transfer, involving Forest Service property adjacent to the TPA, said property shall be deemed to be in the Mariposa County General Plan, for purposes of density and appropriate standards. Action may be subsequently taken to incorporate the land within the boundary of the TPA and apply an appropriate land use.

G. Non-Conforming Uses

All those legally established uses, which are in existence at the time of the adoption of this plan, which are not in conformance with the policies and standards in this plan, deemed to be non-conforming uses, said uses shall be allowed to continue, but shall not be allowed to expand. Should a non-conforming use become abandoned for a period of one year, or more, said use shall be voided and shall not be allowed to be restored.

H. Bed and Breakfast and Residential Transient Rentals.

1. Prior to the establishment of a Bed and Breakfast Inn or Transient Rental activity, a notice of intent to establish such an activity shall be filed with the Mariposa County Planning Department on an application form and a fee paid as established in accordance with County Resolution. Thereafter, the Planning Department shall post a notice of the proposed activity on the subject property in a conspicuous manner for a period of not less than fifteen (15) days and copy of such notice shall be mailed to all property owners within 300 feet of the exterior property lines of the parcel containing the proposed activity.

The filing of a petition with the Planning Department on a County approved form signed by fifty percent (50%) of the property owners within 300 feet of the exterior property lines of the parcel containing the proposed activity protesting such application within twenty (20) days after such notice has been mailed shall require the proposed activity to obtain a conditional use permit.

In the absence of such a petition (as described above), the Planning Department shall issue a notice of approval to the applicant providing that all requirements as set forth herein have been satisfied.

2. Land Use Provisions:

Bed and Breakfast establishments are defined as a single family structure which is occupied and operated by the resident who may provide or make available a morning meal on the premises.

Residential Transient establishments are defined as a single family structure which is available for rental to an individual, or a family or a group on a transient basis for a period not to exceed twenty-nine (29) days. These structures are also defined as single family dwelling units wherein title is held by a deed which describes only that property on which the structure is located or the single family dwelling unit together with any common areas.

Notwithstanding other Specific Plan provisions, a duplex shall be considered a single family dwelling for the purpose of this section.

Both Bed and Breakfast and Residential Transient Rentals

shall meet the following requirements:

3. Use Requirements:

Prior to the issuance of a Bed and Breakfast or Transient Occupancy permit, the following requirements shall be met:

- a. No more than three (3) bedrooms are available for occupancy by transients.
- b. The residence shall be serviced by an approved community sewage disposal system, or have an individual system satisfying building and health code requirements.
- c. Water supply must be verified to be available from an approved community system, or from an individual well having quality and quantity satisfying health code requirements.
- d. The structure and facilities used shall be approved by all fire protection agencies necessary to comply with applicable provisions of the Public Resources Code, and applicable County ordinance.
- e. At the time the application for permit is approved, the structure must be found in conformance with building code requirements by the Chief Building Inspector relative to the basic health, safety and welfare of the occupants.
- f. Signs shall comply with the provisions in Section VI B 6 g 3.
- g. A bed and breakfast or residential transient rental may include other uses which comply with the home occupation section of this Specific Plan.
- h. At minimum an 8 1/2 x 11 inch written notice must be placed in each rental unit which contains the following information:
 - (1) Instructions in case of fire or other emergency.
 - (2) Quiet hours are between 10:00 p.m. and 8:00 a.m., and shall be strictly observed.
 - (3) Water and energy conservation measures.

- (4) Proper use of wood burning stoves and fireplaces.
- (5) A statement relative to respect for adjacent property owner's rights and trespassing concerns.
- i. The following minimum on-site parking standards shall apply:
 - (1) Bed and breakfast establishment shall have two (2) parking spaces for the residence plus at least one (1) on-site space for each bedroom available for rent.
 - (2) Transient rental establishments shall have one (1) on-site parking for each bedroom.
 - (3) On-site parking spaces provided shall be maintained so they are accessible, and usable at all times during the year, when the residence is occupied.

4. Application Requirements:

- a. The applicant shall apply to the Mariposa County Planning Department for a permit. The Planning Department shall also forward the application to the Building Department, Health Department, and appropriate fire protection agency for review.
- b. Following approval by the appropriate agencies, and completion of notice period as described in Section VI H 1., a valid transient occupancy registration certificate shall be issued by the Mariposa County Treasurer/Tax Collector's Office.
- c. At the time the application for a permit is approved, the structure must be found in conformance with building code requirements by the Chief Building Inspector relative to the basic health, safety and welfare of the occupants.

I. Compliance with Specific Plan.

Except as may otherwise be specifically provided, all land uses shall be in compliance with this Plan as follows:

1. No site, building or structure shall be erected, altered, enlarged, used, or be designated to be used for any purpose other than those uses and purposes included in this plan. All uses not otherwise listed as permitted or conditional shall be expressly prohibited.
2. No deed or conveyance of any portion of a parcel or lot shall be made which reduces the dimensions of the parcel or lot, minimum setbacks, off-street parking, or other minimum requirements applicable to the site and use below the minimum requirements of this plan.
3. Uses listed as permitted within any zone may be established provided all other applicable State and County code requirements are adhered to.
4. Where a proposed land use is not specifically listed as permitted, the Planning Director will review the proposed use when requested to do so in writing and, based upon the characteristics of the use, determine if the use proposed is equivalent to those permitted.
5. Upon a written determination by the Planning Director that a proposed unlisted use is equivalent in its nature and intensity to a permitted use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required and what standards affect its establishment.
6. The Planning Director shall request the Fish Camp Advisory Council to review and make recommendations regarding requested land use determinations.

VII. ISSUES AND OPPORTUNITIES

A. Water Facilities

As discussed in the environmental setting, domestic water is supplied from three major sources in the Fish Camp area. Although these systems have historically provided adequate water to the area, future development may overtax or create impacts on these systems. Future development in Fish Camp should be designed and reviewed considering the following conditions:

1. The existing water facilities have limited supplies and storage.
2. Some of the facilities are old but presently supply adequate potable water to the users.
3. Ground water availability in granitic masses is difficult to estimate and generally poorly understood.
4. Drilling additional wells in the area may reduce the water available to existing wells.
5. Water for fire fighting purposes must also be provided by the existing water facilities.
6. Each water system is independent and administered and maintained separately.

Suggested Mitigation Policies:

1. All development proposals should be required to demonstrate adequate and reliable sources of water for domestic and fire protection services.
2. The feasibility of combining the existing water suppliers into a community water district should be evaluated. Such action should reduce overall costs and provide improved service to the entire community.

B. Traffic and Circulation

The community of Fish Camp is located on Highway 41 which provides the southern access to Yosemite National Park. The circulation system of the area serves three principal functions, (1) Southern tourist arterial to Yosemite, (2) Intercommunity travel needs of local permanent and seasonal residents, workers and merchants, and (3) Seasonal recreation, logging and woodcutting on Sierra National Forest lands.

In response to the above factors, the circulation system of the community should be analyzed considering the following:

1. The location and uses of State Highway 41 in Fish Camp.
2. The residential areas street system as an adequate access system to the State Highway and community service facilities.
3. Impacts on residential access by future commercial developments.
4. Access to recreational areas, and forest product areas such as timber sales, firewood cutting areas, etc.

The above analysis must take into account existing conditions in the Fish Camp area which include:

1. Steep terrain.
2. Snow during much of the winter.

3. Big Creek.

4. Large influxes of winter recreationalists.

A comprehensive circulation plan has never been developed for Fish Camp and access roads have been designed and built as specific areas have been subdivided. This has produced a variety of subdivision roads that create problems with access and maintenance. Specifically, these problems are as follows:

1. Inadequate site distances on some of the existing encroachments to Highway 41.
2. Narrow easements that may not allow future road improvement projects.
3. Narrow roads that are inadequate for future increases in traffic.
4. Buildings and building pads significantly above or below street level with off-street parking accessing the street system at steep grades.
5. Disjointed road ownership creating difficulties with adequate road maintenance.
6. Snow removal is presently conducted by Cal Trans, Mariposa County, the Yosemite Alpine Community Service District and private land owners. Much of the snow removal equipment is old, in poor repair and inadequate to keep the roads passable during heavy winter storms.
7. Dirt roads which are difficult or impossible to keep passable in winter.
8. Road maintenance during timber harvesting activities.

Mitigating Policies and Procedures:

1. All proposed encroachments to Highway 41 should be reviewed and approved by Cal Trans. Such review should be conducted early in the project planning process.
2. All development proposals should be reviewed with road capacity, safety, and road maintenance as important considerations.
3. All proposed developments should be reviewed to ensure that adequate off-street parking is provided and that such parking is accessible from the street at all times of the year.
4. All proposed development roads should be paved to facilitate snow removal and winter access. Maximum allowable grades should be 10%.
5. Adequate and reliable snow removal is necessary. Such services may be provided for by the County and paid for with benefit assessments or through a community wide community service district established to provide snow removal and other services.

6. All Mariposa County roads used during timber harvesting activities are maintained by the County under a cooperative road maintenance agreement with the United States Forest Service.

C. Topography and Soil Erosion

Fish Camp, due to its location, is comprised of steep slopes which pose difficulties in development and create environmental impacts when disturbed. Residential and commercial development on such steep slopes must take place in a well planned method that adheres to strict engineering practices to alleviate significant environmental effects.

Possible environmental consequences:

1. Erosion and Siltation

The combination of soil types and slopes in the Fish Camp area create high erosion hazards. Road, building pad and improvement construction removes vegetation and creates soil disturbances that can lead to unacceptable soil erosion. The consequences of soil erosion are two fold:

- a. Removal of the developed soil veneer leaves bedrock or poorly formed soils that fail to support vegetation. Well developed soils may take many thousands of years to create and soil lost through erosion may represent irretrievable losses. The significance of this impact in Fish Camp is important because the loss of soil may preclude regrowth of valuable timber and reduce the visual quality of the area.
- b. The majority of soil erosion takes place during intense rains and periods of runoff created by melting snow packs. Soil eroded in this fashion enters seasonal drainages and eventually either Big Creek or Lewis Fork. Additions of large amounts of eroded soil reduces water quality, alters the established stream dynamics, fills and covers gravel beds which provide trout spawning areas, and gradually fills downstream water impoundments.

2. Geologic Hazard

Residential and commercial development in mountainous terrain can be subject to rock falls and land slides. Grading and vegetation removal practices can increase the probability of the above occurring. Such mass movement represents potential losses of property and lives.

Mitigating procedures:

1. All development in the slopes areas of Fish Camp with grades of 15% or greater should take place at minimum densities. Development in such areas can take place using the Planned Development Overlay to maintain densities projected in each land use.

2. All subdivisions proposed on slopes of 15% or greater should be required to prepare engineered geologic and soils reports prior to the approval of the subdivisions. Such reports will provide valuable information regarding the structure and stability of the soils and underlying geology.
3. All subdivision roads should be fully engineered including erosion and drainage control measures. Such measures may include surface drainage protection, sediment basins, and physical grade stabilization structures, in addition to the standard seeding and mulching practices.
4. All soils affected by grading and vegetation removal should be revegetated using the specific recommendations provided by the Soil Conservation service.
5. All proposed subdivisions should provide for future maintenance of erosion control measures and drainage facilities.
6. All development proposals shall be reviewed to ascertain possible geologic hazards. If such hazards are identified, specific mitigating measures should be developed and implemented.

D. Development and the Effects on Surface Water Resources

Big Creek provides an important scenic and recreational resource to the Fish Camp area. The purity of its water and the relative abundance of native Rainbow and introduced German Brown Trout have traditionally been one of the major attractions of the area. Alpine streams are easily impacted and the effects of development can be devastating. Many of the existing subdivision lots, residential development and resort commercial establishments are located in close proximity to Big Creek. It is anticipated that property near Big Creek will experience continued pressure to develop.

Possible Environmental Consequences:

1. Reduction of Surface Water Quality

Big Creek can be affected by several factors created by increased development. Possible impacts include septic contamination, siltation created by increased soil erosion, and contaminants carried in runoff from impervious surfaces. Reductions in water quality are critical due to the fragile ecology of Big Creek. Pollution of the Creek will add nutrients that support increased numbers of organisms which can deplete the dissolved oxygen supply of the water. Trout demand relatively high amounts of dissolved oxygen and are sensitive to alterations of such supplies. Increased silt levels in Big Creek may clog gravel beds and have a detrimental impact on trout spawning areas. Similar impacts may occur to the Lewis Fork as well.

2. Inundation and destruction of commercial and residential development located in the Big Creek Flood Plain area.

Future developments located in the flood plain of Big Creek may be subjected to damage by flood waters. Such damage could result in substantial economic losses and could endanger public health and safety.

3. Commercial Hydro-Electric Power Plants

The construction of commercial hydro-electric plants on Big Creek could seriously impact the ecology of the stream course. The typical construction of such plants requires the daming and diversion of the water, which has the potential for creating serious impacts to the stream. Reduced water flows in the stream would decrease aquatic wildlife, change the stream morphology, modify plant life, and possibly change the aesthetics of the stream.

Mitigating Policies and Procedures

1. Subdivision proposals creating lots of less than 2.5 acres should not be approved without adequate wastewater facilities.
2. All proposed parcels not connected to a community sewer facility should have adequate septic areas (including 100% replacement) located at least 100 feet beyond the high water mark of the 10 year flood level of Big Creek.
3. Erosion control measures as explained in Section VII C. should be required for all development proposals.
4. Residential and resort commercial development should not be permitted in the Big Creek Flood Channel. The channel area is most appropriate for open space uses and public recreation and park development.
5. Proposed resort commercial developments must provide adequate septic disposal on a year round basis. Such facilities shall meet all County and State Regional Water Quality Control Board standards. It should be the burden of the project proponent to prove that such systems will operate satisfactorily.
6. All resort commercial uses, except those with existing sewage treatment systems, should be required to hook up to a community sewage disposal facility when it is constructed.

7. If a community wide sewage facility is constructed, all effluent producers within the TPA should be required to hook up to the facility in a timely manner.
8. Commercial hydro-electric power plant development on Big Creek shall be discouraged.

E. Rare and Endangered Flora

Four species of rare and endangered plants have been identified in areas nearby and similar to Fish Camp. Development in Fish Camp has the potential to stress and/or destroy any of these sensitive plants that may be located there.

Possible Environmental Consequences:

If any rare and endangered plants exist in Fish Camp, future developments may destroy them. Removing populations of rare and endangered plants reduces the gene pools for such species and may lead to their extinction.

Mitigating Policies and Procedures:

1. Fish Camp should be thoroughly surveyed for rare and endangered plants. If populations are found, such areas should be protected through land use alterations or open space easements.
2. Until the area is fully surveyed, all projects should be reviewed to ascertain possible impacts on rare and endangered plants. If potential impacts are identified, adequate mitigation measures should be required.

VIII. SPECIFIC PLAN IMPLEMENTATION

Introduction

This section of the Fish Camp Specific Plan will discuss specific planning issues as they relate to the implementation of the Plan. Section VI, of this plan, under "Policy Implementation", notes that the primary steps to accomplishing such implementation will be zoning and building permit review. These two measures will ensure compliance with the Plan for development which takes place on existing parcels. Before the full potential of the Plan can be achieved on certain properties, more detailed and complicated implementation strategies must be developed. In addition, to enhance the quality of the living environment, other basic problems (such as snow removal) must be dealt with in a fashion that certain services can be established or improved. By way of this section, therefore, an attempt will be made to provide strategies to more fully implement this plan.

A. Planned Development Overlay Zone

Section VI D of this plan encourages the use of the Planned Unit Development Overlay Zone in areas which are undeveloped. The use of this zone is encouraged because of the flexibility it provides in dealing with properties which impose development constraints, both physical and monetary.

If used properly as a tool to guide development, the Planned Unit Development Zone can:

- Cluster units to reduce physical environment effect.
- Cluster units to reduce improvement cost and provide more efficient services.
- Encourage the utilization of areas more suitable for intense use, leaving open those areas with severe development constraints.
- Encourage the development of open areas.
- Maintain areas of scenic quality by clustering units.
- Provide a way of dealing with mixed land use on certain properties.

Only through the use of the Planned Unit Development Zone will certain properties within the TPA realize their full residential and/or resort commercial potential. Aside from any density bonuses required by State law for certain residential housing projects, no density bonus will be considered, above the land use classifications density, for any project.

B. Plan Amendment Standards

As this plan is implemented, it is inevitable that changing or unforeseen circumstances will require plan modifications through amendment. In addition, information provided by future studies may indicate that changes in the plan may be beneficial to the community as a whole. In light of the above, the following policies are provided as a guide to decision makers for reviewing such future changes and amendments:

1. General Policies:

- a. Any amendment to this plan, whether initiated by the County of Mariposa or resident of Fish Camp, shall be evaluated in light of the overall goals and objectives of the Fish Camp Specific Plan and the Mariposa County General Plan.
- b. Any amendment must be evaluated in light of the Environmental Impact it may create particularly as that impact is identified and mitigated in this plan.

2. Specific Findings:

The following findings must be made regarding any amendment to this Plan:

- a. The amendment will further the goals and objectives of the Fish Camp Specific Plan and the Mariposa County General Plan.
- b. All environmental impacts of the amendment can satisfactorily be mitigated,
- c. The amendment will not result in the degradation of the community as a residential and commercial center,
- d. That the proposed amendment is needed to promote orderly growth within the Fish Camp community,
- e. That the area proposed for amendment is uniquely suited to the proposed use or density and that other areas are not presently available or usable for such use or density,
- f. The amendment will not result in damage or have an adverse effect on the value of adjacent properties.
- g. The amendment will not result in an overtaxing of the existing community circulation system or create a traffic hazard.

C. Streets and Roads

1. Road Construction Standards:

All new subdivision roads should meet all County road standards as specified in the Mariposa County Improvement Standards as adopted by the Board of Supervisors. Such roads should also comply with any additional standards specified in this document.

2. Street Naming Policy:

Any new street or road constructed within the Fish Camp Town Planning Area shall be named in a manner consistent with the Mariposa County Street Naming Policy. Names proposed shall be of historical, geological or other significance to the local area. All street names should be signed as to be visible from all intersections.

3. Street Numbering Policy:

All lots created in the Fish Camp Town Planning Area shall be numbered in a manner consistent with the established lot numbering system in Mariposa County.

4. Storm Water Drainage:

All streets, roads or parking areas constructed or improved within the Town Planning Area of Fish Camp shall be designed and constructed as to conform with the County Storm Water Drainage Standards and any other applicable improvement standards.

D. Community Service District

At present, only a small portion of the Fish Camp TPA is within a Community Service District. In April of 1969 the Yosemite Alpine Community Service District was formed to cover what was essentially the Yosemite Alpine Subdivision. Encompassing approximately 20 acres, this Community Service District (C.S.D.) presently provides snow removal and water service to properties within the C.S.D. The resolution establishing the C.S.D., however, does not restrict the District to only provide snow removal and water. The C.S.D. has the ability to provide sewage disposal, garbage collection, recreational facilities, street lighting, library facilities, street improvements, and underground utilities, to name the major items.

The Yosemite Alpine C.S.D., as previously noted, provides coverage to only a small portion of the Fish Camp TPA. Through an annexation process, however, it is possible that portions or even all of the TPA can be included within the C.S.D. to provide additional services to property owners.

Two of the most important additional services needed in the TPA are expanded snow removal and a wastewater collection and treatment system. A discussion relative to these services is found in Appendices II and III of this plan. All dollar figures found in the appendix are in 1981 dollars, and should be revised accordingly as time passes.

IX. RELATIONSHIP AND CONSISTENCY WITH THE ELEMENTS OF THE MARIPOSA COUNTY GENERAL PLAN.

It is the intent of this report to adopt, by reference, the Mariposa County General Plan Elements. This section of the report deals with the relationship of this plan to the elements as it relates to consistency and the implementation of policies identified in the General Plan. For purposes of clarity, each element of the General Plan will be specifically dealt with. References are made in this section to the 1981 General Plan Update, and it shall be assumed that any revision to the 1981 Update will be incorporated in this document by reference. At the time that such a revision to the General Plan occurs, appropriate sections in this report will be reviewed for consistency.

Land Use, Open Space, and Conservation Element

The area covered in this specific plan was identified on the Land Use Map as being a Town Planning Area (TPA). The text of the General Plan defines TPA as follows: TPA classification is applied to established areas, town, rural towns, and service centers where existing uses are clustered. Future uses may be developed within capacity of TPAs existing public utilities/facilities or in accordance with increased capacity of planned development TPA uses including existing residential, commercial, industrial, public services, and open space. Development policy: proposed plan development require detailed maps, and specific plans.

The intent of this specific plan is to accomplish the goal established by the General Plan of establishing specific land uses within the TPAs. The plan developed has taken into account the community's capacity for growth, and the overall desires of the community to accomodate this growth.

Specific land uses identified in this specific plan are listed on previous pages in this report.

The proposed specific plan for the TPA would be consistent with the policies established in the land use element of the General Plan. Specific items include:

- Promoting more intensive land uses in areas which can better provide public services such as community water and wastewater, sheriff, fire protection and recreational facilities. This would fit within the concept of concentric growth around established "urban" areas.
- Preservation of historic sites, and historic flavor within the TPAs.
- To promote the "rural lifestyle" desired by so many residents by promoting more intensive development within the TPAs.
- Reduce the impact on ground water quality and quantity by providing community sewer and water systems.

- Provide housing in the TPAs and reduce the pressure on agricultural and timber land for residential uses.

Circulation Element

The proposed specific plan will have no impact on the Circulation Element of the General Plan. No new roads are proposed by these plans, nor should it affect the routing of any state highways within the TPA. The proposed land uses will, in the future, enable the development of public transportation services to link service areas with residential development.

Scenic Highways Element

The specific plan will have no effect on the Scenic Highways Element of the General Plan, and would be consistent. State Highway 41 is not designated as a proposed state scenic highway. However, the recreational, tourist, and natural beauty of the area demands that development along the state highway be done in a tasteful and discriminating manner.

Housing Element

The specific plan will facilitate certain specifics of the Housing Element, and will be consistent with the overall policies and objectives of the element. The specific plan will encourage moderate housing by providing parcels of such a size that land costs can be significantly reduced. Parcels of reduced size will cost less and therefore reduce the total land and housing costs. In addition the TPA will better accommodate planned developments, because of the potential for community water and wastewater systems, and thereby help to reduce overall housing costs.

Promoting greater densities within the TPA will also meet the goal of providing affordable housing without affecting the environment or the rural lifestyle of Mariposa County. This is accomplished by providing a plan for sewer and wastewater hook-ups to the vast majority of the TPA, and encouraging greater densities in the urban versus the rural areas.

The proposed specific plan will also help to preserve existing residential neighborhoods which may be eroded by the intrusion of intensive resort commercial development. By establishing specific resort commercial land use areas, this erosion can be eliminated.

Noise Element

The specific plan is consistent with the Noise Element on pages 105-110 of the General Plan. The project is not expected to impact any specifics within the element and will promote the reduction of noise in the residential areas by separating them from the commercial and industrial uses.

Safety Element

The specific plan would be consistent with implementing the policies and objectives identified in the Safety Element. Wildland fire hazards are reduced in an area such as the TPA, although domestic fire hazards may be increased. The volunteer fire department and the California Department of Forestry have traditionally provided protection, and can be expected to do so in the future. By increased development, however, greater demands will be placed on their services. The community may some day see the need to establish a fire district. Response time, however, is considered to be quite low in relationship to other areas of the County, and the California Department of Forestry has encouraged the clustering of houses for purposes of ease of protection.

Flood hazards do not exist within the TPA, and as such the specific plan is consistent with regard to development policies. Should a flood hazard area be identified in the future, development policies will have to be incorporated into this specific plan to ensure consistency.

Seismic Safety

The specific plan is consistent with the policies adopted in the Seismic Safety Element of the General Plan.

Recreational Element

The specific plan is consistent with the policies and objectives in the Recreational Element of the General Plan. The reader is referred to pages 139-144 of the General Plan.

Historic Preservation Element

The proposed specific plan would act as a tool for the implementation of the Historic Element of the General Plan. While the proposed specific plan does not include detailed lists and specific design standards for historical preservation, it does recognize the unique character that exists in Fish Camp. The specific plan would be consistent with the goals and objectives identified on pages 127-138 of the General Plan.

X. SIGNIFICANT ENVIRONMENTAL IMPACTS WHICH CANNOT BE MITIGATED

Big Creek

Big Creek has been identified as an important and fragile resource in the Fish Camp area. Many of the mitigating measures proposed in this document are designed to reduce the impacts of development on the creek. Furthermore, implementation of this specific plan may reduce or eliminate present sources of possible contamination of the creek. Even with strict enforcement of the mitigation measures provided in this document, impacts to the Creek are likely to result from future development. The majority of these

impacts should be short term, related to construction activities, and contained in the Fish Camp area. Further development will also increase the risk of septic contamination in the creek through seasonal failures in leach fields or by failure or breakdown of a community sewage facility.

The proposed plan establishes densities that may require the installation of expanded community water facilities and a community wastewater facility. Development to such densities may not be allowed until such facilities are reviewed, approved and constructed. It is understood that construction of such facilities may have environmental effects and should be carefully reviewed when they are proposed. This would only create a significant impact if careful review is not made of development proposals under this plan.

XI. ALTERNATIVES TO THE PROPOSED PLAN

The following alternatives to the proposed plan can be considered:

A. No Plan

With the no plan alternative, Fish Camp development would continue to be administered under the Rural Residential Land Use as specified in the Mariposa County General Plan. This option has become undesirable to residents of the community for the following reasons:

1. Potential conflicts between residential and resort commercial uses and unstable property values.
2. Inability to adequately plan and provide for public sewer, water and other services.
3. Potential congestion and circulation hazards associated with poorly planned streets and roads.
4. Environmental impacts created by improperly sited and planned developments.
5. Discrepancies between present uses of the area and the existing land use policies.

Community dissatisfaction with this alternative has led to the creation of the proposed specific plan.

B. A Plan designating different land uses and densities.

The Community Planning Council has spent a considerable amount of time in public meetings developing the proposed plan. The plan, as designed, represents the most desirable combination of residential densities and possible commercial uses, in light of community goals and desires. Mitigating policies and standards may be unfeasible and/or inadequate

if different densities and land use patterns are established. Therefore, such alternatives are considered undesirable to the residents of Fish Camp and for the local environment.

XII. RELATIONSHIP BETWEEN LOCAL SHORT TERM USES OF MAN'S ENVIRONMENT AND MAINTENANCE AND ENHANCEMENT OF LONG TERM PRODUCTIVITY

The short term effect of the project will be to establish resort commercial and residential zones which will eventually be used for these purposes. Establishment of such uses will reduce the production of valuable timber and alter the ecological balance of the area as buildings and roads are constructed. The proposed plan tends to concentrate development in a relatively small area, thus relieving development pressure on nearby pristine undeveloped land. By implementing planned growth, with strict environmental parameters, the long term productivity of the general area should be increased. Implementation of the plan should have a long term beneficial effect on the environment when compared with the relatively unplanned development that exists at the present time.

XIII. ANY SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE INVOLVED IN THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED

Implementation of the proposed plan ultimately consists of the construction of residential and resort commercial structures. Such construction will cover soil with buildings and roads and remove areas from timber production, wildlife habitat and scenic viewshed.

Implementation of the plan will also increase the proposed population densities in the Town Planning Area. Greater densities will increase the demand for ground water resources and may require the construction of a community wastewater facility. Such increases in population will also increase the demand for public services.

Providing for increased population densities and resort commercial uses in this compact and well defined area should reduce the demand for development in other isolated and sensitive areas. Planned growth in this relatively small area should reduce the overall impact of resort-residential growth in Mariposa County.

XIV. GROWTH INDUCING IMPACT OF THE PROPOSED PLAN

Implementation of the policies and standards in this document may result in increased growth in the Fish Camp Area. Standards in the plan are designed to guide such growth in an orderly and environmentally sensitive manner. The actual growth inducement of the plan is somewhat limited

because the majority of the residential lots have already been created by past subdivisions. Implementation of the plan would provide for the creation of a maximum of approximately 93 additional residential lots. The plan would also allow for the creation of approximately 300 lodging units under the conditional use permit provisions of the Resort Commercial land use. Such proposed densities cannot be developed until a community septic disposal system is designed and constructed. Development of such a system may reduce the existing environmentally hazardous situation of small lot developments utilizing conventional leach field septic disposal systems.

Resort commercial use standards in the proposed plan may actually limit future resort commercial uses in Fish Camp as compared to the present land use policies affecting the area. Resort commercial uses will now be limited to areas considered best suited to the requirements and intensity of such uses, considering access, terrain, location, and adjacent uses.

It is projected that Fish Camp will remain a resort-commercial community with a relatively small year round population, which should reduce the future demands on public services such as schools, health care, police, etc.

XV. EFFECTS FOUND NOT TO BE SIGNIFICANT

A. Wildlife

Fish Camp is not listed as a sensitive wildlife area on the California Department of Fish and Game Areas of Special Biological Importance Map No. 22. Areas nearby to the east and west are listed as Summer Range for Oakhurst and Yosemite Deer Herds. Development in Fish Camp will reduce deer forage values in the limited area, but such concentrated growth should reduce development pressure on more sensitive deer habitat areas in the vicinity.

Possible reductions to surface water quality and the effects on aquatic wildlife have been discussed thoroughly in this document. Mitigation measures designed to reduce or eliminate siltation and septic pollution of surface waters have been identified. Impacts on aquatic wildlife are mitigated by such measures included in this document.

B. Historic

Appendix I identifies the known historical sites in the Fish Camp area. The area has been inhabited by native Americans and early settlers of Mariposa County. The known historical structures in the Fish Camp area have, unfortunately, been destroyed by past fires. Native American sites have been identified, however, they do not appear to represent unique historical resources. For the above reasons, implementation of the proposed plan should not create significant impacts on historical or archaeological resources. If unique historical or archaeological sites are identified in the future, they should be evaluated and protected if necessary.

C. Flood Hazards (Big Creek)

Effects mitigated through regulation of development in the Big Creek Flood Plain.

D. Circulation and Traffic

Effects mitigated through land use policies, review and development standards.

E. Ground Water Quality and Quantity

Effects mitigated by development standards requiring adequate septic disposal, the development of a community sewage disposal facility and further development of a community water system.

F. Erosion and Drainage

Effects mitigated through strict regulation of development on hillside areas, road construction standards and drainage requirements.

G. Rare and Endangered Plants

Effects mitigated through site review and conditions placed on development proposals.

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APPENDIX I

HISTORICAL PRESERVATION IN FISH CAMP AREA

The locale of Fish Camp has its beginnings as an Indian fishing and trading area for a few months of each year. This has been substantiated by two investigators from the State Archeological Sites Preservation Commission, based on evidence of existing grinding holes in several rock outcroppings. These can be found at the east end of the driveway of Silvertip Lodge, and on the edge of Big Creek at the south end of the bridge.

Some people believe before Big Creek's water was divided and barrier constructed and the stream flow lowered, salmon made their way to this elevation, hence the reason for the Indians fishing the few months of the year.

Another reason for the Indians coming to Fish Camp was a very large grove of California Black Oaks (TELELI-Miwok Indian Name) where the acorns were easily picked up by the squaws and children for food storage. This grove is no longer in existence. It was removed for the lumber and the land became a garbage dump and is now used as an R.V. park.

1851 found Major James D. Savage and two companies of volunteers on the trail of the rebellious Indians, tracking them over the Black Ridge (Chowchilla Mountains) and down Big Creek to the mouth at the South Fork of the Merced River.

On another foray of the Indian fighters, the volunteers led by Captain John Boling followed one of the old Indian trails from Crane Valley into the Fresno Big Trees (now known as Nelder Grove) and up to the area between White Chief Mountain and Fresno Dome, and into Beasore Meadows near Sivel Mountain. It is claimed this general area could have been the site of the Indian battles, hence the name given "Battle Mountain". Then could it be possible scouts of the troops were in the Fish Camp area in either instance and might have camped here overnight?

When Galen Clark located his station in the area now called Wawona, he didn't stay put content with running his hotel and the horse changing stage station. He spent his spare time exploring the surrounding mountains. During one of his early camping trips he happened upon the Mariposa Big Trees, the year being 1857. Since the trail from the grove down to Fish Camp is approximately a mile in length, could we not surmise he might have camped alongside Big Creek and also dined upon fish he pulled out of the stream?

Shortly thereafter, sheep herders began moving their flocks into summer pastures, filling the high country until the late fall. During the Civil War years, the number of sheep in California increased from 5 1/2 million head to more than 22 million. These figures were gathered in 1871. The Union Army needed much wool for uniforms, blankets and other military gear. The practice of high country summer pasturage continued into the 1930's, but in not such large numbers as in the previous century. It is stated that approximately 50,000 to 60,000 head were run into the Sierra each summer.

Records of the present Summerdale area and the Fish Camp meadows indicate certain known families camped there while the men tended the flocks higher up.

Water continued to be needed in large quantities for irrigation purposes in the San Joaquin Valley. To that end Isaac Friedlander, who was a large landholder in the Madera area, used Fresno River water to irrigate his crops. He looked farther into the high mountains for more. From his office in San Francisco in 1871, he sent word to have work started on the building of the Big Creek Diversion Ditch. Construction was started in the spring of 1872. Is it not conceivable the main camp might have been located in Fish Camp or perhaps a short distance out on Jackson Road? Water was diverted from Big Creek into Lewis Creek in 1873 or 1874.

In order to reach the Yosemite Valley floor more easily, a new road was built from Wawona, the year being 1875. Therefore we can presume more trappers, loggers, horseback riders and tourists might have passed through the Fish Camp area stopping overnight to rest and fish in the creek for their dinner.

During the period of 1875 to his death in 1878, Isaac Friedlander together with W. S. Chapman owned the Big Creek and Soquel Ditches, and had water rights on the Fresno River. Their obligation was to provide water for the flumes of the California Lumber Company. Prior to Friedlander's death, the California Lumber Company filed for bankruptcy.

The year 1878 was another important milestone in the history of Fish Camp. For years Henry M. Washburn had been talking and thinking about a new road into Wawona. Finally his lobbying for a new road paid off. The Yosemite State and Turnpike Company was incorporated in San Francisco, with him being a director and the operator. The new road had a connection with the Southern Pacific railroad. A branch of the railroad was run from Berenda to Raymond, the year being 1886. This was the terminus of the Yosemite State and Turnpike Co. A hotel was built to accomodate overnight passengers. The six horse stages with their flat tops and roll-up side curtains were dispatched via Grub Gulch, Ahwahnee, Miami Lodge, Summerdale (Fish Camp) Wawona and on into the park. This, of course, brought more people into and through our area.

In 1879, W. H. Thurman and James Dickens ran the Madera Flume and Trading Company and Sugar Pine. The sawmills continued operation for two more years and then the partnership dissolved. Thurman left for Walla Walla, Washington. After a short stay he returned to California. In the spring of 1883 he brought to Fish Camp an old sawmill to start a sawmill somewhere in the vicinity of the White Chief Motel and the Green Meadows Outdoor School on a 10 acre flat. Thurman had two partners, Thomas and Merritt. Their mill operated until 1893. According to the Madera Historical Society, he left Fish Camp to live in Madera and became the city's first sheriff.

Another landholder in the Fish Camp area was Return Roberts. He owned 200 acres in Section 24, this being listed on the 1897 map drawn by George E. Washburn. Roberts also ran the Madera Flume and Trading Company for 13 years from 1880 to 1893 (this area needs further research). Also Arthur Hill, a lumber tycoon from the east, held vast quantities of timber land surrounding Fish Camp which eventually was incorporated into the Madera Sugar Pine Lumber Company properties and logged over.

It is also noted that 1879 a section of road extending between Fresno Flat (Oakhurst) and Big Creek was surveyed. This is map 198 in the Fresno County archives.

The family of H. Clay Daulton of Madera and a group of friends made a camping trip to Yosemite Valley on June 21, 1880. The group met in Fresno Flats and followed the new stage road, which followed the old road in general, until they get well into the foothills where the new road had an improved grade. From Fresno Flats they traveled Northeast 6 1/2 miles to George Green's Ranch, a stage stop, a mile and a half from the Blackhawk Motel site on Highway 41, on the old road. Twelve miles farther on they reached Coarse Gold. From there they traveled mostly on the old road, with the exception of a mile or two of new grade to Fresno Flats, a stage station. From there they traveled almost due north, and eleven miles later then reached the Board Ranch. Three and one half miles farther on they reached Deep Creek (Big Creek at Fish Camp) where they camped the night and all in the party tried their luck in fishing for their dinner. However no one succeeded, so they decided to go upstream to an Indian camp to buy some fish. The next day they traveled two miles farther where they turned to go into Mariposa Grove. From there they reached Big Tree Station (Wawona) in time for their mid-day meal. This account is taken from the Madera Historical Society Bulletin of July, 1961.

In the year 1881, Annie Philp took up a timber claim on Section 25, comprising of 640 acres. She decided she would call it Fish Camp because of the amount of fish caught daily. Her husband, Albert, built a two story hotel in 1883 upon the present site of the last Silvertip Lodge. The hotel had 12 bedrooms, kitchen, dining room and a parlor. Across the street was a large building with a Post Office in one end. Dances were held seven nights a week. This building plus two barns, huge at that time, made up the town of Summerdale.

Albert Philp also hauled freight from Raymond to Yosemite Valley via Summerdale. He owned three ten animal teams. He also hauled ore from the Star Mine at Mt. Raymond to North Fork (this item taken from the Madera News, 1946).

On November 4, 1884, Joel J. Westfall was the first person to be elected District Number 5 Supervisor. The land of Section 26 was claimed by S.W. Westfall.

W. R. Thurman, son of W. H. Thurman, and J. W. Drysdale moved the Soquel machinery to Fish Camp and sawed the remaining lumber. This activity took place in 1886. Teams of oxen were used to haul logs to the mill and then the lumber was hauled to the San Joaquin valley by lumber wagons.

Another mill in the Fish Camp vicinity located on the south side of Hogan Mountain started construction during the spring of 1887, and remained in operation until the end of 1889 when it went broke. Two men named Nestleroad and Skoll built the mill, while three others named Chaffey, Rawson and Mayo agreed to cut the timber. The mill itself was constructed of large hand hued timbers. The band sawmill was the first of its kind to be built in the area. The Pine City Lumber Company location is to be found at the site of the present day "Pine Mountain Plantation", a reforestation project planted in the late 1930's.

The thirty acres were burned over by sparks emitting from the stack of the donkey engine that yarded and loaded the logs on the mill truck. This Dolbeer engine was the first steam logging rig to enter the forest. The foregoing was taken from Bert Hurt's book, Sawmill History of the Sierras 1852 to 1940.

A Fish Camp resident, Martin Dillon, reported in 1888 that "15 families and fully 100 people were living in Pine City. An extensive sawmill with all the latest improvements different from anything of the kind ever seen before in this country, is underway sawing lumber in great quantities and shipping to various points". Mariposa Gazette of June 9, 1888.

An article from the same newspaper and date tells of Martin Dillon traveling to Mariposa to the Courthouse to prove his land (his apple orchard is still in existence today on Jackson Rd.). He also stated that a wagon road was constructed from Fish Camp to Mt. Raymond (a distance of 4 miles), the site of the Star Silver Mine. A portable 2 saw steam mill was set up in 1882 to cut lumber to build the mill and the cabins of the crew. Also a mill was being built on Rainer Creek on a huge slab of granite. A stamp mill was to reduce the size of the ore to be hauled by freight wagons to the railroad at Raymond. A tramway was also constructed between the mine and the mill. It was one and one-half miles long. The whole operation continued until 1893.

It is well to note here that Yosemite National Park was being administered by the U. S. Cavalry in 1891 under Captain A. W. Wood and his troopers. R. O. Keller's log cabin in Fish Camp is said to have been constructed during this time for certain of the troopers to winter in the Fish Camp area. The exact date of occupancy and construction is unknown, however, the timber is said to come from the east side of the mountains along the Tioga Road.

1893 is a year of much consequence to Mariposa County as well as Fish Camp, as on March 25th the Summerdale Post Office was established and the tempo of travel to Fish Camp for family recreational camping during the summer months quickened. There is a record of Charles L. Sewell and a group of friends on a camping trip to Yosemite and they found staying overnight in Fish Camp was a logical stopping place.

Also that year, the Sierra Forest Preserve was established placing much virgin timber under its protection.

Breaking away from Mariposa County, large areas in the San Joaquin valley and the Sierra Nevada territory were brought together to form a new county called Madera, thereby lessening the claim of Mariposa County on the future happenings of the Madera Sugar Pine Lumber Company, the Mt. Raymond Star Mine operation, the Madera Irrigation District's ditch and later law suit, the Miami stage stop and lodge. Even though all of these activities had their roots in the old county, the perimeter of Fish Camp, in Mariposa County, from this point on was substantially reduced in size.

A picture taken in 1898 of Fish Camp showing the name Summerdale also states it was the principal stopping place on the road to Wawona. Also, the article mentions the town burning down after this date. When it was rebuilt, it was called Fish Camp (however, the Post Office was still called Summerdale).

Another article dated 1900 tells about the great July 4th celebrations in Yosemite Valley. Traveling from Fresno or Madera would be a three day trip. The first night would be camping in Fish Camp and the second night camping in Wawona. The third day brought the travelers into the Valley.

An early Madera Pioneer, William Martin Sell, Jr., was one of the drivers of the horse stages for the Yosemite Stage and Turnpike Company from Raymond to Wawona. The trip going up would take 12 hours, and the return trip only took 8½ hours. He speaks of "Summerland" as a station to change horses. This account was also dated 1900.

In 1901, the Cannonball stage was started and continued to run until 1912 or 1913, when the horse drawn stage was retired. The official record of the trip states it took 12 hours to cover 72 miles.

Apparently, the only stagecoach hold-ups and robberies occurred on the Chowchilla Mountain run (Raymond to Wawona). In 1905 the last of these occurred. An accounting of the affair is recorded in the Madera Daily Mercury newspaper.

A story in the Fresno Bee dated November 23, 1980, tells about Vivian E. Duncan who drove a 10 horse team and 2 tandem freight wagons from Raymond into Yosemite Valley. His route was over the original Yosemite Stage and Turnpike Company Road.

The picture accompanying the story showed the team and wagon in front of Yosemite Falls and was taken in the spring of 1905. Duncan drove alone riding the wheel horse. According to the article, the trip took seven days into the valley with the wagons loaded and the weather being good. The return trip took only four days out with the wagons empty. When the roads were muddy or the weather was bad, it took nine days in and five days out.

The Summerdale Post Office was moved to Sugar Pine in 1908. Could this have been the year of the burning of the area? Or could it have happened as the Madera Sugar Pine Lumber Company began its extensive logging operations?

In the same year the logging railroad lines were extended into the Fish Camp area. Hank Johnson's "Thunder in the Mountains" shows a map of the 1908-18 line going into Fish Camp and on to the present day Summerdale Camp Ground, Tipperary Switch and the many branches onto Laurel Creek and Rush Creek. On the R.O. Keller's property, can still be seen the railroad elevation bed to Big Creek. The trestle is long gone. Also, Allen Harder, a historian, had a map drawn showing the Fish Camp Switch to Sugar Pine. The Switch was located where the Mile High cabins now stand, and the Mt. Raymond railroad grade became the road now known as Jackson Road.

In 1910, another picture was taken of Fish Camp showing the town was still there and operating!

1911, Yosemite National Park recorded a heavy snowfall, therefore Fish Camp enjoyed a larger than usual amount (this needs research).

The horse drawn stages were replaced by auto stages in 1912 on the Raymond to Wawona run. The auto stages originally were two Pope Hartfords and one Thomas Flyer. One would go between Raymond to Wawona and one auto from Wawona to Raymond each day. The third auto stage remained in Ahwahnee as a spare. Running time was clocked at 12 miles per hour. A portable telephone was carried by the drivers, so if needed in any emergency, they could hook on to the road phone line and get help. Later on, Ellsworth Gordon's father, who had an automobile agency in Madera, sold vehicles for this run.

In the meantime, logging was still going on in the Fish Camp area. This is attested to by a picture showing "the flying machine", a stationary pole and cable rigging designed to move logs onto the railroad cars.

The July 24, 1913 edition of the Madera Daily Mercury had a small social note, "Mrs. C.H. Hubbard and children left for Fish Camp where they will pass the remainder of the summer". Did they camp out, or did they stay at a hotel? One wonders.

Also a picture in the Sierra Star shows a deer hunting party in Fish Camp. Those listed were R.D. Harder, Laun Wright and others. Mr. Wright owned and operated the store and hotel at this time. In later years, his family also ran cattle through here enroute to the high mountain pastures.

Another change of hands in Fish Camp is noted with the coming of Mr. and Mrs. Elmer Amer who owned and operated the hotel. A picture exists showing Evelyn Amer in front of the "Fish Camp Hotel" (more research is needed).

In a 1918 newspaper account, it was stated a Mr. Stanton who was running the Fish Camp store, came into the store and fell dead on the floor! Although the sign on the hotel said "Fish Camp Hotel", the 1918 Fireman's Fund Auto Tour Book called it Summerdale.

Also in 1918, another camp was added to the Madera Sugar Pine Lumber Company on the Mt. Raymond line, Skidder Camp. In 1941, this became Fred Wass's pack horse camp, according to the diary of Matilda Wright. Today, we know it as Mike Knapp's pack station.

The "hooley car" made its appearance that summer of 1918. It was the brawn and brains of 11½ year old Alexander Harder and two other youngsters. It consisted of four 12 inch flanged wheels with axles, a flat bed body made from scrap lumber about four feet square. On one side a notch was cut so a pole or stick could be wedged against the car body and wheel to act as a brake. The height of the car was 14 inches. The three boys started down the railroad grade from Fish Camp switch, and part way down one lad got excited and grabbed at the pole to slow the car down. It reached down to the rail ties below and broke off. They eventually made it safely to the Sugar Pine Mill with many thrills and chills along the way. After repairing the car, they hitched a ride on the rear end of a train going back up to Fish Camp. When they reached the top, they unhitched it and left it behind the switchman's shed. The "hooley car" made a few more trips that summer, but never were the rides as wild as that Sunday's escapade. The Harder family returned yearly to summer camp through 1922. This was taken from an account by Allen Harder, historian.

In 1919, a fire was recorded in the sawdust pile at Thurman's sawmill at Fish Camp. It smoldered all winter long under the snow. Nothing was noted if anything else had burned.

At the end of the 1923 logging season, all logging on the water-shed of Big Creek was completed by the Thurman Mill. However, camping in Fish Camp still went on.

The Arbios family, being Basques, had their family camp during the months of June, July and August located downstream from Fish Camp, near the present day Summerdale Camp Ground. The children dammed up the water, and it is noted that the stream was a very fast rapid one then. Grandmere Arbios had maintained a summer camp there for 20 to 30 years. Although they all slept in tents, which they removed at the end of the summer, they had wooden tables, shelves and cupboards with doors that could be locked. All of this remained over the winter. The men would tend the flock of sheep higher up in the mountains during the week and come down Saturday night to spend Sunday with their families (this is from an article in the San Francisco Chronicle).

In 1924, the Fish Camp Post Office was established. The population must have increased once again to merit a post office.

The winter of 1928-29 was another hard one. An article in the Mariposa Gazette of April 13th, states that nearly 200 men were ready to cut timber on Signal Peak for the Madera Sugar Pine Lumber Company, but were delayed in doing so for two weeks due to heavy storms in March.

The construction of the new and present Wawona Road-Highway 41 was started. The work was to last until 1932. Also in 1929, Charles Beery sold a parcel of property to Henry A. Crowell on September 27th. Mr. Crowell built his log cabin himself. He had rock brought in by mule train from quite some distance. Seventeen tons of it went into the building of the massive fire place. Also, some of the remainder of the rock was used in building a spring house. This log cabin and spring house still exist in Fish Camp today.

The next recorded year for activity in Fish Camp was September 30, 1933. The Post Office was removed to Oakhurst. This left an empty building in the area. However, the new Wawona Road and tunnel Highway 41 was dedicated on June 10th. This event would bring many travelers through Fish Camp.

In 1938, the Standard Oil Company leased property from Charles and Maude Beery to build a new gas station. The Beery's had become the owners of the Lodge and surrounding property. The Lodge was called "Beery's Paradise Lodge". His brothers were Noah and Wallace Beery, the movie actors. The area by Big Creek was subdivided and was known as Block A. Many lots were sold and some cabins were constructed on the lots.

On September 10, 1939, the Fish Camp Post Office was re-established and has remained in continuous operation since.

With the success of the first subdivision, Blocks B and C were subsequently subdivided with, again, many of the lots sold.

During the summer of 1941, the Wright family once again ran their cattle up to Fish Camp and up the Mt. Raymond trail to the upper high country. Matilda Wright recorded this in her diary of spending the summer at Cow Camp by Dillon's apple orchard.

Also during this year, a chinchilla fur farm was constructed on the present White Chief Motel property by a Mr. Edwards.

Right after the Pearl Harbor attack in 1941, the County revised its Civil Defense Program, one facet of which were the Airplane Observation Posts. Thomas L. Graham appointed G.F. Martinez of Fish Camp to staff one, according to a Mariposa Gazette article.

In 1942, Beery's Paradise Lodge burned to the ground. Thereafter in 1943, the Beery's sold their property to H.J. Baker Real Estate Company.

The next lodge was built in 1944 and 1945 by Baker. He named it the Silvertip Lodge. He also built a home in a lovely setting across Rainbow Lake, which was completed in 1948. The house stood until 1956 when it burned down. The foundation and the wishing well can still be seen today.

According to Yosemite National Park records, the winter of 1952 was the heaviest winter since 1911. Seventeen feet of snow were recorded at Badger Pass at an elevation of 7,300 feet.

The Sierra Star had an article and pictures in 1957 about John Allred and his honey bees. He owned 10 acres at his Sugar Pine Range and he called it Honey Hill. He also had a plot of ground on the Hogan Mountain road that was surrounded by an electrified fence to repel bears who are very fond of honey! Inside the fence were placed the white boxes containing the hives. The bees would fly out and gather nectar from manzanita and elderberry blossoms and wild flowers. That fenced-in plot is still discernable today.

In 1958, an article in the Sierra Star states Fish Camp boasts the only ice skating rink in the mountains, a rope tow and a toboggan slide, also a warming hut for the teenagers. Promotion of winter activities went on even then! Clarence Bettencourt was the lessor and operator of the Silvertip Lodge during this time.

When H.L. Baker died, control of the property was passed on to Mr. and Mrs. Robert O. Keller, Evelyn Keller being his daughter.

In 1968, the Yosemite Alpine Village subdivision was being planned and implemented by George Knapp of Fresno. The first lot was sold in September 1969. That winter was the winter of another record breaking snowfall in Yosemite Park. Pictures of the snowfall in Fish Camp show the snow piled up to the roof line of the Silvertip Lodge. The windows were covered up.

On August 31, 1981, the Silvertip Lodge burned to the ground. Arson was found to be the cause of the fire.

A LIST OF BUILDINGS AND SITES OF HISTORICAL INTEREST

1. Fish Camp Post Office - 93623

According to the Mariposa Historical Society, the Post Office was established on September 10, 1924 and discontinued on September 30, 1933. It was established on February 10, 1939 and has been in continuous operation to the present time.

A picture published by the Sierra Star shows a building with the name "SUMMERDALE" and the words "POST OFFICE", dated September 20, 1898 as a fore-runner to Fish Camp.

Also, a map of Mariposa County, drawn by George E. Washburn, dated July 7, 1897, shows the Summerdale Post Office on it. This map is hanging in the Mariposa County Library.

2. Rainbow Lake

The lake was in existence prior to C.H. Beery's ownership in the 1930's. It probably dates back to the Philip's ownership. In 1944, the dam was strengthened and the lake was deepened.

3. Ski Tow Pole and Engine

These are located on the hill behind Yosemite Alpine Village's Silvertip Lane homes. During the 30's, this was utilized as a recreation ski lift.

4. Silvertip Lodge

The lodge was rebuilt upon the site of Beery's PARADISE LODGE, the latter having burned down several times. The lodge was built by H.J. Baker in 1944 and 45. Upon his death, the Robert O. Kellers assumed ownership in 1962.

The brown cottages at the rear of the lodge we moved from the Miami Lodge stage stop at Miami Mills on the Chowchilla Mountain Road by H.J. Baker in the 1940's.

5. Railroad Avenue

This street is located in Block B and was the former site of the Madera Sugar Pine Lumber Company railroad bed. This bed continued on around the hill on a trestle across the small stream, past Yosemite Alpine Village area, around the Big Meadow area and over Big Creek and across the then non-existent Highway 41 and on up the White Chief Road. Somewhere along the way, around the big meadows area, was a large water tank, fed by springs, which serviced the logging engines.

6. Keller's Log Cabin

This was constructed in the 1880's after the Civil War and allegedly was used by the U. S. Cavalry in the Mt. Savage Indian Fracas. It was built of Sycamore trees from 8500' elevation. The logs were brought down from the Tioga Road area. The cabin also has 16 inch redwood beams.

7. Happy Camp - T5S Section 26 SW 1/4

This clearing is located within the Sierra National Forest, just south of Fish Camp, and west of Highway 41, on the old dirt road maintained as a recreation site by the Forest Service.

The location had a railroad trestle crossing for the use of the Madera Sugar Pine Railroad line during the years of 1908-18.

A tent community was first set up by prostitutes to service the loggers who lived at Fish Camp switch and also those workers of the Sugar Pine Mill. Business was so good, permanent dwellings were erected for seasonal usage. Happy Camp continued until the mid-20's when the coming of the automobile made it easier for the men to travel to Madera and Fresno.

8. Jackson Road - known also as Big Sandy Road

This road follows the old railroad bed of the Madera Sugar Pine Lumber Co. logging trains.

- A. Skidder Camp - established in 1918. It is now known as Knapp's Pack Station. Logging was carried on from here to Mt. Raymond, Fresno Dome and White Chief.
- B. Dillon's Apple Orchard - was planted some time just before the turn of the century. The apple trees are still bearing fruit today.
- C. Grey House - located inside the Madera Irrigation District property was the site of the Wright's cow camp in the 1940's. They ran cattle on over the mountain to Hoggem Mountain, site of Murray's cow camp.
- D. The Diversion Canal - This man-made canal was part of the Madera Canal Irrigation Co. and prior was part of the Madera Sugar Pine Lumber Co. flume system. The canal was built originally by Chinese laborers and black powder. It had been repaired during the depression by the W.P.A. This canal diverts part of Big Creek water into Lewis Creek for part of the year. A sign is posted on Jackson Road above Knapp's pack station, designating the site.

9. White Chief Lodge Site

Formerly a sawmill stood at the stream edge. Then in the 1940's a chinchilla farm was constructed lasting only a short time. Some of the buildings are in use today.

10. The Yosemite Mountain Ranch

The Yosemite Mountain Ranch was the property of Madera Sugar Pine Lumber Co. A barracks building with a large recreation and dining room is still in use today. Also 3 or 4 homes are lived in during the summer months. A large apple orchard fronts the buildings.

In the late 1920's - 30's a group of professional people in Southern California purchased the property. A foundation for a large resort hotel was started, also a large man made lake was created. When the depression hit, all prospects of building the resort were abandoned. It is now a tree farm and also a game preserve.

11. Log Cabin on William Winterberg's Property

This is located on the north side of Big Creek and was built by Henry A. Corwell in the 1920's. Rock for the 17 ton fireplace was brought in by mules, also the stones for the spring house across the creek. The front door is of interest due to the iron straps and other iron metal decorations.

12. Green Meadows Outdoor School

This property has been under special use permit by the Merced County School District for 15 years. Prior to that, it was a Boy Scout camp for 20 years. Also the area was used as a ball park for baseball, particularly while the Madera Sugar Pine Lumber Co. was operating. Games were held there between visiting teams.

APPENDIX II

COMMUNITY SERVICES -- SNOW REMOVAL

According to National Park Service weather records, the twenty (20) year average snowfall at the South Entrance (State Highway Route 41) to Yosemite National Park is 136 inches, or 11 ft. plus. Fish Camp is located approximately 0.8 mile from the South Entrance and is the same elevation (approximately 5,100 ft.) At this elevation, it is essential that a snow blower be available for removing snow from the TPA road system. Maintenance of the County road system is the responsibility of the Mariposa County Road Department.

At the present time, the equipment available for snow removal in Fish Camp includes:

1. County Owned and Operated Equipment:

One 1948 Ford, all-wheel drive, Marmon diesel powered snow blower.

2. Privately Owned and Operated Equipment:

A tow-truck equipped with an 8 ft. blade (owned by L. Pacheco), contracted out by the County, and used in conjunction with the County owned snow blower.

3. Other Privately Owned and Operated Equipment:

This equipment is used by individual owners for their own roads.

The expense of snow removal from the Fish Camp TPA road system is considerable. Review of the expense and source of financing for snow removal from this road system in 1981-82 shows that approximately 75% of the cost is financed from the County Road Fund and 25% directly by property owners in the Fish Camp TPA. See the following schedule.

SNOW REMOVAL EXPENSE AND SOURCE OF FINANCING

WINTER 1981-82

FISH CAMP TOWN PLANNING AREA

Expenditures

Yosemite Alpine Village Community Services District

Total charges for County administrative expense, equipment and labor	\$ 2,090.39	
Total charges for privately contracted equipment and labor	<u>1,200.00</u>	\$ 3,290.39

Fish Camp Road System, as maintained by County

Total charges for County equipment and labor	\$12,787.82	
Total charges for privately contracted equipment and labor	<u>2,200.00</u>	\$14,987.82

Private Roads and Accesses, as maintained by Individual owners*

Total charges for County equipment and labor	\$ 2,049.33	
Total charges for County administrative expense	<u>102.47</u>	\$ 2,151.80*
		<u><u>\$20,430.01*</u></u>

Source of Financing

Yosemite Alpine Village Community Services District (Assessments)	\$ 3,290.39
Fish Camp Road System, as maintained by County-- County Road Fund	\$14,987.82
Private roads and accesses, as maintained by individual owners--	
Reimbursement by individual owners for County equipment and labor	\$ 2,151.80
	<u><u>\$20,430.01</u></u>

*Excludes charges for privately contracted equipment and labor used for snow removal on private roads and accesses.

APPENDIX III

WASTEWATER SYSTEM

At the present time, wastewater in the TPA is handled by individual on-site septic systems. Most of the existing systems are installed on relatively small lots which do not conform to present County and State standards. At present, there is some concern over the long term usefulness of these existing systems.

During the winter months many of the existing systems are adversely affected by high levels of soil saturation which results in the system not being able to operate for its designed purpose. Numerous permits are issued during the spring and summer to repair these failed systems in the Fish Camp area. Most septic systems will eventually fail. Present County standards allow for this eventuality by requiring expansion areas for on-site septic disposal. The existing lot sizes in many parts of Fish Camp frequently do not provide adequate expansion areas.

Another aspect of the existing or potential problems of wastewater disposal in Fish Camp is the limitation it poses for the future growth of the community. At present, Mariposa County standards require 2 1/2 acres as a minimum lot size where private on-site wastewater systems and water systems are to be used. Given the constraints exhibited in the Fish Camp area, even these large lot sizes may not be adequate for on-site wastewater disposal.

This Specific Plan provides for considerably higher densities (lower minimum lot sizes) provided that central wastewater treatment is developed. In short, the proposed policies of the Plan cannot be implemented to the maximum potential until a sewerage treatment plant is constructed.

The long term solution to the continued development, and potential future use of existing development, may be dependent upon construction of a sewer system to serve the TPA. It is estimated that approximately 200,000 gallons per day plant capacity would be needed to serve the TPA. Given the nature of the area, its terrain, weather conditions, etc., any system proposed would be costly to develop. The following costs are only provided as an example of the costs at the date of the preparation of this document.

Package Treatment Plant (.2 MGD)	\$ 866,700
Collection System: Trunk Lines	184,800
Service Lines	<u>406,000</u>
Total	\$ 1,457,500
Annual Operating Costs:	
Chemicals, power, manpower	\$ 90,000/year

Such a facility could be financed through a combination of connection fees, user fees and special property tax assessments. Traditionally the capital costs are secured by special tax assessments; maintenance and operating costs are financed through user fees and replacement capital costs are financed through connection fees.

The following table has been developed to show the taxing obligation that would need to be assessed to finance a central wastewater treatment plant and collection system to service the TPA. The rates, expressed as a percentage of value is calculated on the 1982 values of the Fish Camp area.

Capital Cost
Amortization Scheule

<u>% Interest</u>	<u>Term 20 Year (Rate)</u>	<u>Term 30 year (Rate)</u>	<u>Term 40 year (Rate)</u>	<u>Term 50 year (Rate)</u>
12	195,128.64(2.51%)	180,939.88(2.33%)	176,800.58(2.27%)	175,507.78(2.26%)
11	183,027.02(2.35%)	167,648.94(2.16%)	162,830.44(2.09%)	161,198.04(2.07%)
10	171,197.95(2.20%)	154,610.14(1.99%)	149,042.49(1.92%)	147,001.99(1.89%)
9	159,663.30(2.05%)	141,867.22(1.82%)	135,489.20(1.74%)	132,963.35(1.71%)
8	148,499.29(1.91%)	129,465.35(1.67%)	122,225.95(1.57%)	119,147.42(1.53%)
7	137,577.80(1.77%)	117,454.10(1.51%)	109,325.62(1.41%)	105,610.45(1.36%)
6	127,072.14(1.63%)	105,885.92(1.36%)	96,868.37(1.25%)	92,469.63(1.19%)

As can be seen from the above table, project feasibility is highly dependent upon interest rates. Historically, most tax exempt bond issues have ranged 6% to 8%; at present, tax exempt issues are running at around 12%.

These rates can be quickly converted to a tax dollar figure by multiplying the percentage listed at a specific interest rate and term by the value of a piece of property. For example, 10% interest on 30 year terms would result in a rate of 2.16%. Divide 2.16 by 100 to derive .0216 and multiply the value, assume \$84,000, and the annual tax liability would be \$1,814.40. This tax liability is in addition to the present Prop. 13 tax rate on that property of \$840.00 per year.

While it is obvious that at present rates a sewer system would be very expensive to property owners in the area, a program could be developed to phase the project in stages. This could reduce the initial capital cost, but would only provide partial service. This report will not attempt to develop a complete set of financial alternatives for a wastewater system in Fish Camp, but it should be kept in mind that alternative financial arrangements are possible.

It must be stressed that these estimates are not based on available engineering data and would necessarily have to be revised based upon specific engineering data. They are merely estimates based upon a few assumptions regarding system design and cost, and are intended solely to provide preliminary feasibility estimates.

MARIPOSA COUNTY RESOLUTION NO. 83-170

STATE OF CALIFORNIA

A RESOLUTION ADOPTING THE FISH CAMP TOWN PLANNING AREA SPECIFIC PLAN
AND CERTIFYING THE SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT.

The Board of Supervisors of Mariposa County, a political subdivision of
the State of California, hereby resolves as follows:

WHEREAS, Fish Camp, an unincorporated community within the County of
Mariposa, is identified within the Mariposa County General Plan as a Town
Planning Area (TPA); and

WHEREAS, California Government Code provides for the development, adoption
and implementation of specific plans as a means of implementing the General
Plan; and

WHEREAS, the County of Mariposa has determined that a specific plan
for the community of Fish Camp, known as the Fish Camp Town Planning Area, is
necessary for the orderly development of the area and implementation of the
Mariposa County General Plan; and

WHEREAS, such a Specific Plan and Environmental Impact Report has been
prepared through procedures as set forth in the Government Code and the Public
Resources Code; and

WHEREAS, said specific plan and E.I.R. has been reviewed by the Planning
Commission and following a Public Hearing has recommended approval of the plan
and certification of the E.I.R. with specific recommendations for changes as set
forth in Planning Commission Resolution No. 83-10.

NOW THEREFORE, this Board determines and orders that the Fish Camp Town
Planning Area Specific Plan, attached hereto (Exhibit "A"), is hereby adopted
and the Environmental Impact Report of said plan certified in accordance with the
following:

I. SPECIFIC PLAN TEXT AND LAND USE MAP AMENDMENTS

1 Such amendments within the text of the Specific Plan E.I.R. as
2 described in Planning Commission Resolution No. 83-10 (Exhibit "B"),
3 attached hereto and made part hereof as though set out in full, except
4 ing the amendment set forth in Section I,3a,3b of this Resolution are
5 approved as set forth and shall be deemed a portion of the Specific
6 Plan/E.I.R. text. Future copies of the Specific Plan/E.I.R. shall be
7 modified and reproduced in such a manner as to reflect such amending
8 language.

9 A. Section VI Land Use Policies and Standards shall be amended to
10 read as follows:

11 1. Section D on page 25 of the Specific Plan shall be amended to
12 read:

13 "D. General Forest Land Use Classification.

14 This land use is applied to property presently located
15 in the Timber Production Zone.

16 1. Regulation -

17 As set forth in Section 3.505 of the Mariposa County
18 General Plan."

19 2. The existing Section D, E, F, and G of the Specific
20 Plan shall be re-lettered consecutively to the follow-
21 ing: E, F, G, and H to allow for the addition as
22 identified in Section A (1) above.

23 3. The Land Use Map shall be revised to reflect the
24 following:

25 a. Yosemite Mountain Ranch Property within the Town
26 Planning Area as identified as Assessor's Parcel
27 Number 10-410-11 and a portion of 10-410-01 shall
28 be re-designated General Forest. This land use

map change is officially delineated in Exhibit "C-1" of this Resolution.

b. The property identified as Assessor's Parcel Number 10-370-03 shall be re-designated Multi-Family Residential. This land use map change is officially delineated in Exhibit "C-2" of this Resolution.

c. The property identified as Assessor's Parcel Number 10-370-01 shall be re-designated Single Family Residential - One Acre. This land use map change is officially delineated in Exhibit "C-3" of this Resolution.

II. FINAL ENVIRONMENTAL IMPACT REPORT

Such comments and responses as contained in Exhibit "D-1" and "D-2" shall be included in the Specific Plan Environmental Impact Report in accordance with Public Resources Code Section 21080 et seq, otherwise known as the "California Environmental Quality Act (CEQA), CEQA Guidelines and County policies adopted pursuant to same. With this action, the Specific Plan Environmental Impact Report is deemed certified and directs that a Notice of Determination be prepared and filed in accordance with Section 15085 of the CEQA Guidelines.

Be it further determined and ordered that residential development permits, subdivisions, construction permits and other actions of the County of Mariposa, are not subject to CEQA review proceedings in accordance with provisions of Government Code Section 65453 (b) provided that such residential development permits, subdivisions, construction permits and other actions of the County of Mariposa are found to be consistent with the provisions of the Fish Camp Town Planning Area Specific Plan and the Environmental Impact Report mitigating measu

1 In support of the above, it is found that:

- 2 A. The Specific Plan was developed and adopted in accordance with the
3 procedures established by Article 9 (commencing with Section 65500 of
4 Chapter 3 of Title 7) of the Government Code.
- 5 B. That the above finding shall be effective for five years from the
6 date of this action.
- 7 C. The Specific Plan Environmental Impact Report is sufficiently detailed
8 so that significant adverse effects of a project on the environment
9 and measures necessary to mitigate or avoid any such effects can be
10 determined, including significant physical effects on existing struc-
11 tures and neighborhoods of historical or aesthetic significance and
12 measures necessary to mitigate such effects.
- 13 D. Specific residential projects undertaken and approved by the County,
14 when found to be consistent with the Fish Camp Town Planning Area
15 Specific Plan and Environmental Impact Report, can be approved subject
16 to one of the findings required under Section 21081 of the Public
17 Resources Code.

18 Be it further determined that the amendments to the Specific Plan as set
19 forth in Section I of this Resolution do not constitute significant changes and
20 no further environmental review is necessary.

21 PASSED and ADOPTED by the Mariposa County Board of Supervisors this 7th
22 day of June, 1983 by the following vote:

23 AYES: Barrick, Taber, Dalton, Erickson

24 NOES: None

25 EXCUSED: Moffitt

26 ABSTAINED: None

27 
28 Eric J. Erickson, Chairman
Mariposa County Board of Supervisors

1 ATTEST:

2 

3 ELLEN BRONSON, County Clerk
Ex Officio Clerk of the Board

4 APPROVED AS TO FORM AND
5 LEGAL SUFFICIENCY:

6 

7 RICHARD K. DENHALTER
County Counsel

EXHIBIT B

MARIPOSA COUNTY PLANNING COMMISSION

STATE OF CALIFORNIA

RESOLUTION NO. 83-10

A RESOLUTION RECOMMENDING THE CERTIFICATION OF THE EIR FOR
AND ADOPTION OF, THE FISH CAMP TOWN PLANNING AREA SPECIFIC PLAN

WHEREAS, Government Code Section 65450 through 65553 provides for the
development, adoption and implementation of Specific Plans as a means of imple-
menting the General Plan; and

WHEREAS, the County of Mariposa has determined that a Specific Plan
for the community of Fish Camp, known as the Fish Camp Town Planning Area, is
necessary for the orderly development of the area and implementation of the
Mariposa County General Plan; and

WHEREAS, the Mariposa County Planning Commission has held a Public
Hearing on said EIR and Specific Plan in the Fish Camp Community to receive
comments to the document; and

WHEREAS, the Mariposa County Planning Commission considered and
responded to the comments at numerous continued Public Hearings.

BE IT THEREFORE RESOLVED, that the Mariposa County Planning Commission
hereby recommends approval of the Fish Camp Town Planning Area Specific Plan and
Environmental Impact Report with the changes as proposed in the attached Exhibit
"A".

BE IT FURTHER RESOLVED, that the Commission recommends that the
attached Exhibit "B", "Responses to Comments" be incorporated into the documents
and that the attached Exhibit "C", "Comments to the EIR and Specific Plan", be
incorporated in said document in accordance with State Law.

PASSED AND ADOPTED THE 18TH DAY OF FEBRUARY 1983 by the following
vote:

AYES: Hickman, Kendrick, Simpson, Martini and Hackleman

1 NOES: None
2 NOT VOTING: None
3 EXCUSED: None

Janice T. Hickman

Janice T. Hickman, Chairman
Mariposa County Planning Commission

6 ATTEST:

Nancy L. Hubert

Nancy L. Hubert, Secretary
Mariposa County Planning Commission

"EXHIBIT A"

Page 14, Item V.7.

The words, "public roads" to be inserted between the words "protection", and "water" on this line.

Page 14, all Section VI.

All references in this section which refer to Section VII to be changed to read Section VI.

Page 22, Section VI.B.6.F.1.

This section to be amended to read: "Only signs for a non-commercial nature shall be permitted in a residential land use, except that a commercial sign, advertising a commercial use which does not have frontage to Hwy 41, may be allowed subject to the approval of a conditional use permit.

Page 28, Section VI.F.

The definition of carport in this section conflicts with the definition as provided in the Uniform Building Code. All reference to carports to be changed to read "Parking Structure".

Page 28, Section VI.H.

(added) In response to a comment, the following addition is recommended:
"H. Non-conforming Uses. All those legally established uses, which are in existence at the time of the adoption of this Plan, which are not in conformance with the policies and standards in this Plan, deemed to be non-conforming uses. Said uses shall be allowed to continue, but shall not be allowed to expand. Should a non-conforming use become abandoned for a period of one year, or more, said use shall be voided and shall not be allowed to be restored."

Page 29, Section VII.B.

The lead-in paragraph to have a third principle function which is to read:
"3. Seasonal recreation, logging and wood cutting on Sierra National Forest Lands."

Page 29, Section VII.B.

Item 4, under the circulation system analysis, is to read "4. Access to recreational areas and Forest product areas such as timber sales, firewood cutting areas, etc."

Page 30, Section VII.B.

Item 8 to be added to the list of existing problems to read: "8. Road maintenance during timber harvesting activities."

Page 30, Section VII.B.

Item 6, is to be added to the list of mitigation measures to read: "6. All Mariposa County roads used during timber harvesting activities are maintained by the County under a cooperative road maintenance agreement with the United States Forest Service."

Map Changes

"Locations Map" to have Merced and Fresno added.

"Block Map" to be added immediately before Page 3., which would identify "Blocks" "A", "B", "C" and "D" as referred to on Page 3, Section III.A.

Land Use Map Change

The property owned by Mr. Bill Winterbergh is recommended to be changed from Single Family Residential (SFR) 2½ acre minimum parcel size, to the Single Family Residential (SFR) 1 acre minimum parcel size.

DRAFT RESPONSES TO COMMENTS RECEIVED
ON THE DRAFT FISH CAMP SPECIFIC PLAN
AND ENVIRONMENTAL IMPACT REPORT

WRITTEN COMMENTS

The following is a summarization of the written comments received prior to the close of the Planning Commission Public Hearing held in Fish Camp on November 20, 1982. Also provided are responses to comments as required by the California Environmental Quality Act.

1. W. L. Winterbergh submitted a letter addressing the following concerns raised in the Specific Plan.

- a. Disagrees with proposed land use classification of his property being Single Family Residential (SFL) 2 1/2 acre minimum parcel size. Desires the Multi-Family Classification for his property.

Response - The Planning Commission reviewed the request and recommended that the property be classified SFR 1 acre minimum parcel size.

- b. Requests more acreage along highway in the south end of Fish Camp to be classified Resort Commercial.

Response - The Planning Commission has considered this proposal, specifically on Mr. Jim Compton's property and has determined that sufficient Resort Commercial property is available in the proposed plan.

- c. Questions the land use classifications of the property owned by the Yosemite Mountain Ranch.

Response - After a lengthy discussion, and a separate action relative to a possible change in land use, it was decided to leave the land use as is, for the Yosemite Mountain Ranch Property. The discussion centered around placing the property in the General Forest Land Use.

2. Mr. Henry Bergh submitted a lengthy letter with the following comments and criticisms of the proposed plan.

- a. Questions the statement in the Plan indicating that the County provides snow removal services on the existing County roads.

Response - The statements in the Plan refer to the jurisdiction for snow removal services in Fish Camp and not the amount of snow removed from the roads.

- b. Expresses displeasure with the current standards for the installation of on-site septic disposal systems and their effect on development of existing lots in the area..

Response - The proposed specific plan does not affect the requirements for adequate septic disposal for residential developments. Appendix III of the document provides some cost estimates for the development of a community wide sewer system for Fish Camp.

- c. Disagrees with statement on page 10 (J) regarding the projected growth of the permanent population in Fish Camp.

Response - Mr. Bergh disagrees with the project growth in the Fish Camp area. No other response necessary.

- d. Comment made in regard to agreement with Section A on page 13 of the Specific Plan addressing increased planning services.

Response - No response necessary.

- e. Comments made questioning statements made on page 14 V, 1, 2. Mr. Bergh requests greater population densities in the residential land uses in Fish Camp.

Response - The Plan establishes realistic minimum parcel sizes considering the terrain, elevation, climate and sensitivity of the area. Under current County Code provisions, no parcels less than one acre in size can be created until both community water and sewer systems are available.

- f. Request the addition of "Roads" to page 14, section V, 7 as a public service.

Response - Roads were not intentionally deleted from this section and will be included.

- g. Page 17 section e, disagrees with 35 ft. building height limitation specified in the plan, believes taller buildings should be allowed.

Response - The building height limitation is included in the Plan primarily because of the limitations of the fire fighting equipment available in the area. Variance procedures could be included in the Plan to allow greater building height if sprinklers or other fire safety devices were included in the building.

- h. Page 17, f 1 a, requests greater densities for lodging units within the Resort Commercial land use.

Response - The standard proposed in the Plan has been deemed adequate to provide reasonable "densities" for such lodging units without overburdening the properties. Given the constraints of topography, soils, surface water, and seasonally saturated soils, the density in the Plan is deemed a prudent standard. If densities were doubled, significant environmental impacts could result and full mitigation of these impacts may not be possible.

- i. Page 20, Section 6. Requests smaller building set back areas for buildings on existing parcels in Fish Camp. Specifically disagrees with Section 6 b, 2 requiring a minimum of 25 feet between residential buildings.

Response - Such requirements were developed by the California Department of Forestry for residential development in California. The purpose of the set backs is to maintain adequate building separation in the event of a fire. Variance procedures could be developed to allow smaller set backs if fire hydrants, fire retardant building material and other fire safety equipment and materials were required. This section in the Plan only deals with the separation of buildings on the same parcel and would not affect buildings on other parcels.

- j. Page 22, VI d 3 - Comment only, no alteration requested.

Response - No response necessary.

- k. Page 22, VI, f 1 - Comment only, no alteration requested.

Response - No response necessary.

- l. Page 22, VI, f 2 - Comment only, no alteration requested.

Response - No response necessary.

- m. Page 23, Section VI, g 4 - Comment only, does not request alteration of the plan.

Response - No response necessary.

- n. Page 23, Section VI, g 7 - Comment only, does not request any alteration of the plan.

Response - No response necessary.

- o. Page 29, Section VII A 2 - General comment regarding water, no alteration of the plan requested.

Response - No response necessary.

- p. Page 30, Section 4 and 7. General comments regarding roads and road maintenance in Fish Camp. No alteration in the plan requested.

Response - No response necessary.

- q. Page 33, #2. Questions the use of the phrase "Commercial Sewer Facility" in the plan.

Response - This section of the plan refers to a community sewer facility and does not refer to commercial.

- r. Page 36, Section c 2. Comment made regarding road signing. No alteration to the plan required.

Response - No response necessary.

- s. Page 38. General comment, no alteration of the plan is requested.

Response - No response necessary.

- t. Page 39. Expresses general disagreement with the densities proposed by the Specific Plan.

Response - Fish Camp is presently in the Rural Residential Land Use Classification - creating a 2½ acre minimum parcel size for the purpose of subdivision. The proposed specific plan proposes densities ranging from 1/2 acre to 5 acre minimum parcel sizes. The plan allows for greater densities than are presently permitted in the area.

- u. Page 39. Questions how future commercial development will "erode" residential development.

Response - The specific plan designates specific areas for resort commercial and residential development. By prohibiting intensive commercial uses within existing or proposed residential areas, potential conflicts created by increased noise, traffic, light and glare, etc. will be avoided.

- v. Page 41, Section XI, A 1, Questions stated effect on residential property value by nearby commercial development. Requests no alteration in the Plan.

Response - No response necessary.

- w. Page 41, Section 3 - General comment on existing road system and circulation patterns. No alterations requested.

Response - No response necessary.

- x. Page 41, Section B - General comment on plan development process.

Response - The Fish Camp Community Planning Council held both regular and special meetings which were open to the public, and therefore were public meetings. While notices of the meeting were not always advertised in the community, advertisements were filed by the County, in the "Mariposa Gazette" for both regular and special meetings. Copies of all meeting minutes were available to the public, which not only covered the topics of discussion, but also included statements as to future meeting dates.

- y. Comments on proposed land use map.

1. Requests additional commercial areas along Highway 41 for "either resort commercial or professional office uses".
2. Recommends concentric growth beginning with resort commercial land use and expanding away with greater and greater densities.

Response -

1. The Planning Commission, after evaluating this comment and the letter from Mr. Compton, does not feel that it would be good planning practice

y. Response -

1. to place all property frontage on Hwy 41, in a commercial land use. Strip commercial development, of such a nature, could dramatically affect the visual and social environment of the community. Further, there does not exist a sufficient demand, or need, for such a large amount of land to be placed in the Resort Commercial land use. If, as time goes along, there exists a demand or need for more resort commercial acreage, the Specific Plan could be amended. This is not to say that, however, it would be proper planning to create strip commercial on Hwy 41 since other areas may be more appropriate for such a future consideration.
2. The concept of concentric growth, while an old and tested planning theory, was developed for urban areas where land variables are more constant as one moves away from the core. Further, it is a concept that was developed for urban areas of greater size. In a mountain community, such as Fish Camp, the concentric growth theory cannot reasonably be applied due to the numerous variables of land. Further, there does not exist a "Central Business District" in the Fish Camp area that could reasonably act as a "core" from which to start such concentric growth.

z. Comments - General comments regarding Appendix II and III.

Response - No response necessary.

3. Mr. James D. Compton submitted a letter primarily dealing with the members of the Fish Camp Town Planning Council. No specific comments are made regarding the contents of the Plan.

Response - No response necessary.

4. Jerry S. Freeman submitted letter and map in behalf of Mr. James D. Compton requesting a change to the Resort Commercial Land Use classification on approximately 5 acres adjacent to State Highway 41.

Response - The Planning Commission has reviewed this request and determined that the property should remain in SFR 2 1/2 acre land use classification as designated in the Specific Plan.

5. Memo submitted by Manuel Dillard, Chief Building Inspector, Mariposa County addresses the following items.

- A. Requests a provision requiring sign permits for sign construction.

Response - Comment is noted and will be included in the requirements when specific zoning is developed for the TPA.

- B. States that the definition of a carport on page 28, Section VI, F 3 conflicts with the Uniform Building Code.

Response - Comment is noted. Reference to carports should be changed to a different term.

6. Edgar and Sarah Mills submitted a letter addressing the following:

- A. Request for more information on the maps provided in the document, including city names, topographic lines and subdivision names.

Response - The amount of information that can be included on the maps inside the document is limited by the size and scale of the map. It appears practical to include the towns of Fresno and Merced on the location map and locate blocks A, B, C, and D and the Yosemite Alpine Subdivision on the TPA map. The additions will be made.

- B. Questions the wording and intent of 35' building height limitation.

Response - The height limitation was provided primarily to allow access with fire equipment to all buildings in the case of a structural fire. Buildings greater than 35 ft. in height are not accessible with the existing fire fighting equipment in the area.

- C. Requests "grandfathered" statement in the plan dealing with existing uses that will become non-conforming after adoption of the specific plan.

Response - The existing zoning ordinances adequately addresses nonconforming uses and their legal use and expansion. A statement in the plan referring to the zoning ordinance may provide additional clarification of this issue. Section VI,H, to be added to read: "H. Non-conforming Uses. All those legally established uses, which are in existence at the time of the adoption of this Plan, which are not in conformance with the policies and standards in this Plan, are deemed to be non-conforming uses. Said uses shall be allowed to continue, but shall not be allowed to expand. Should a non-conforming use become abandoned for a period of one year, or more, said use shall be voided and shall not be allowed to be restored.

- D. Believes that restrictions on commercial uses in residential land use areas are too restrictive.

Response - Due to the very nature of a residential land use (that is, to provide for residences) it is very poor planning to allow true commercial uses to be established in residential areas. The Plan does allow for home occupations in the residential land uses, but it sufficiently restricts it so that such a home occupation does not operate as a commercial use in a residential land use.

- E. Believes that sign restrictions are too limiting for both commercial and home occupation uses.

Response - A commercial sign can be 32 square feet, or of a 4 X 8 ft.size, in the commercial land uses. Anything larger than that is almost a "billboard" in nature, and would be out of scale with the community. A sign of 32 square ft is of adequate size to allow travelers to see the sign and yet not be so large that it is asthetically offensive. Signs advertising commercial uses (home occupations) in the residential are prohibited and such a restriction is necessary. The residential land uses are just that, residential, and commercial intrusions should be kept to a minimum. If all residences were allowed to advertise commercial businesses, the area would loose it's residential nature. See the response to the verbal comment from Wally Stovall for a further discussion.

7. Letter submitted by Irl H. Everest, District Ranger, Bass Lake, U.S. Forest Service, provides the following comments.

- A. Requests a 30 ft building set back for all buildings from the National Forest boundary.

Response - The Specific Plan provides for a 25 foot rear yard for all properties, including those which are adjacent to U.S.Forest Service Lands. While a 30 ft setback might be the most desireable standard for fire protection, to place all of this burden on the property owner ignores the fact that it could severely limit property useage. The 25 foot rear yard set back is felt to be an equitable compromise.

- B. Page 8, Section I, recommends addition of "Fish Camp Town Planning Area is bordered by the Sierra National Forest on its north, east and south sides."

Response - Addition is noted and should be added to the plan text.

- C. Page 29, Section B, comment in regard to traffic and circulation regarding function and uses of the road system.

Response - Comments are noted and should be added to the plan text.

- D. Page 30, comments regarding additions to condition and mitigating policies and procedures for roads.

Response - Comments are noted and should be included in the Plan.

RESPONSES TO COMMENTS

VERBAL COMMENTS RECEIVED 11/20/82

The following verbal comments were received at the public hearing held by the Mariposa County Planning Commission at the Green Meadows facility in Fish Camp on November 20, 1982.

Robert Egan spoke giving a brief explanation of how the plan was developed by the Community Planning Advisory Committee.

Response - No response necessary.

Mrs. McCline questioned the land use on the Yosemite Ranch property. She also felt that the existing water systems should not be included with any new systems, and she questioned the establishment of a community-wide service district to deal with snow removal and other services.

Response - YMR land use is a policy issue which the Commission must address. No response is necessary relative to the other issues in as much as it simply expressed an opinion. As a planning document, this office believes that the points raised in the Plan may have a great deal of validity in the future as needs and conditions change.

Wally Stovall questioned (1) the fact that all commercial uses in the Resort Commercial land use requires a use permit, with the only permitted use being residences; (2) the lack of a provision to allow highway signs for business that doesn't have highway frontage, (3) the 35 ft. height limit; (4) the need to deal with grandfathered uses; and (5) the lack of a map to identify the different "blocks" discussed in the Plan.

Response - See page 1A

James Compton felt that there should be more commercial frontage on Hwy. 41; that in addition to the letter from J. Freeman regarding Resort Commercial land use, he requested that the property on which the Mile High Frosty is located should also be Resort Commercial. Suggested that the Commercial land use around the Silvertip Lodge should be decreased. Questioned the two square foot sign limitation, and the 35 ft. height limitation.

Response - Following an evaluation of the land use change request, the Commission has determined that they would not change the land use to Resort Commercial as requested.

See response to letter from Edgar and Sarah Mills and the response to the verbal comment from Mr. Wally Stovall for a response to the sign and height limitations.

Response - The following responses are made to the points on page 1

1. After careful evaluation, the decision of the Commission is to keep the resort commercial standards, for a use permit, as proposed by the Specific Plan. While including some commercial uses as "permitted" uses would expedite some projects, the Fish Camp area was deemed too sensitive to allow development projects without adequate review. The relatively high densities, small parcels and natural environment, demand sufficient evaluation and protection to reduce impacts, and the use permit process provides this.
2. After deliberation, the Commission felt that some provision should be made for commercial signs, in residential land uses, when the commercial use does not have Hwy frontage. Section VI, B.6.f.1, Page 22, of the Plan to be changed to read:
 - (1) Only signs of a non-commercial nature shall be permitted in a residential land use, except that a commercial sign, advertising a commercial use which does not have frontage to Hwy 41, may be allowed subject to the approval of a conditioned use permit.
3. See response to H. Bergh, letter, item 2g.
4. See response to Edgar & Sarah Mills letter, item 5C.
5. See response to Edgar and Sarah Mills letter, item 6A.

Les Pacheco questioned the lack of commercial parking standards and the requirement for loading zones. On behalf of the Yosemite Mountain Ranch, Mr. Pacheco requested that the YMR property's land use be changed to reflect the Timber Preserve Zone on the property.

Response - See response to letter from Yosemite Mountain Ranch.

Robert Keller briefly discussed the YMR property history.

Response - None required.

Irl Everest reiterated his points in his letter, and discussed possible land transfer next to the TPA.

Response - See response to Mr. Everests letter.

Bill Reinhardt felt that the State Highway should be widened.

Response - None required.

Bill Kidwell briefly discussed the Plan and the development of the land use.

Response - None required.

Alahna Chartrand spoke on behalf of the Water Wheel Restaurant with concerns that the widening of Hwy. 41 would remove parking. Questioned the Plan's impact on the environment as a growth inducing impact.

Response - The Plan does not propose to widen Hwy. 41. While the Plan does allow for growth, the intention of the Plan is to put the more intensive uses within Town Planning Areas to relieve certain environmental pressures in the rural areas. Based upon the environmental issues discussed, the Plan is seen as a way of reducing the impacts of growth.

Thorn Hartwig expressed concerns over future plans for snow removal in Fish Camp. Stated that inadequate snow removal may cause safety hazards by creating inadequate access for snow removal equipment.

Response - The Fish Camp Specific Plan is primarily concerned with land use in the area. Recommendations for road construction standards, the formation of service districts, etc. are included in the Plan to provide for improved snow removal and winter access in the future.

Don Stovall requested that the Plan require adequate off-street parking because on-street parking is hampering access, particularly in emergency situations.

Response - The Plan requires adequate off-street parking for all future commercial and residential uses.

"EXHIBIT C"

"COMMENTS TO THE EIR AND SPECIFIC PLAN"

As referred to in the Resolution
recommending the certification of
the EIR for and adoption of the Fish
Camp Town Planning Area Specific Plan

November 15, 1982

Mariposa County Planning Commission
P. O. Box 2038
Mariposa, California 95338

Gentlemen:

Subject: Proposed Land Use Plan,
Fish Camp and Vicinity

Albert C. Martin and Associates

Please be so kind as to accept our written comment on the proposed Land Use Plan for the Fish Camp area. The Yosemite Mountain Ranch is a tree farm containing approximately 4,000 acres. We have been operating in the Fish Camp community since prior to 1926. Our property is owned by ninety stockholders

In the past the Yosemite Mountain Ranch has regularly provided support to the community of Fish Camp. We have provided the with assistance in solving their water supply problem, the location for their volunteer fire department, and a bypass highway to remove the traffic from the town streets by routing it to the west. We have provided a location for the telephone company's central office. We have also provided a location for the cable television. In summary, we believe we have established that we have been good citizens for the town of Fish Camp.

Comes now a plan from the Mariposa County Planning Commission which purports to rezone a portion of our agriculture timber land to an urban purpose. Such a rezone is entirely inconsistent with the needs of the community and inconsistent with the desire of the property owners.

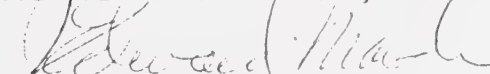
The impact of such a zoning would be inconsistent with the goals and objectives of the property owners and could possibly impact the property taxes.

For these reasons, we request the County Planning Commission remove the Yosemite Mountain Ranch from any altered land use

Mr. Les Pacheco, our ranch manager, is available as a local spokesman, should you have any questions regarding the views of the Yosemite Mountain Ranch.

Very truly yours,

YOSEMITE MOUNTAIN RANCH, LTD.


J. Edward Martin, Treasurer

JEM:mm

W. L. Winterberg
Fish Camp, CA 93623

November 18, 1982

Mr. James Kendrick, Chairman
Mariposa County Planning Commission
County of Mariposa
Mariposa, CA 95338

Dear Commissioners:

Having reviewed the Fish Camp Community Planning Advisory Council's Proposed Town Plan, I would like to comment on this matter.

I am unable to attend this meeting but will be present at the continued meeting to be held December 3, 1982 in Mariposa.

I would like to comment on the proposed plan for our two parcels on the North side of town. It is very hard to understand why we are proposed two and a half acre size when the neighbors to the East have lots varying from one-eighth to one-third acre in size and land use to the West is proposed one acre, with commercial proposed to the South.

In talking to Mr. Robert Egan about this, he stated I have deed restrictions which mandate this two and a half acre size. I have no deed restrictions relating to this matter, and will be happy to produce my deed for your examination. As you are aware, if private deed restrictions are in effect they are not enforceable by a public agency.

The North parcel was purchased in 1967, and has been used as a guest camp since that time. Friends, school groups, youth groups, YMCA, etc., have used this property at no cost to them.

The South parcel was purchased in 1971, having five cabins on it at that time. These have been used for guest, family members and rentals.

I am requesting the proposed zoning be changed on this property to multi-family.

As the plan relates to the area in general:

1. Why should one property owner receive one acre proposal for his undeveloped land and another property owner two and a half acre proposal.
2. Why not propose more resort - commercial on the highway in the South end of town - conflict with home owners would be minimal.
3. Why is the Mountain Ranch involved in this matter when they have no desire to develop - and in fact, are listed with the State as a 'tree farm'. It appears the advisory group is attempting to force this plan on the Mountain Ranch. If we the people of Fish Camp want Public Land we should purchase same at the market price, not forcing an adjoining property owner.

I appreciate this opportunity to address you and will attend the December 3 meeting. Thank you.

Sincerely,

W. L. Winterberg
W. L. Winterberg

October 31, 1982
Fish Camp, Ca. 93623

Mr. William Moffitt, Chairman
Board of Supervisors
County of Mariposa
Mariposa, Ca. 95338

RECEIVED

NOV - 1 1982

MARIPOSA CO.
PLANNING COMMISSION

Dear Mr. Moffitt:

It just became my privilege to review in detail the draft copy of the specific plan for the Fish Camp Town Planning Area. The draft suggests in several places that the "F C C P A C held numerous public meetings," but I don't believe that is in the usual sense of the word public, for normally when the County holds "public" meetings citizens of the area are notified of the time, place, and purpose of the meeting. I, for one, never received even one notice of a meeting. I knew from talking with some of the committee members that they were having meetings, and they told me of some of the areas of discussion, but I never received notice of, or was invited to, any of the meetings.

I've spent considerable time studying the draft of the specific plan, and wish to make some comments. I apologize that it is not possible for me to attend the hearing, for two reasons. One is that I am one of the six property owners in Fish Camp who is a Seventh-day Adventist, and I do not conduct or discuss business on the Sabbath. Hopefully meetings in the future can be planned for another day, so we can also be present or represented. Secondly, my wife and I are vacationing in the desert at the time of the meeting (though I would have returned if I could have attended the meeting otherwise.)

We have been property owners in Mariposa County (Fish Camp) since 1964, and full time residents since 1979. We live in Block D, on lot 35. We have 1/10th of an acre! How non-conforming we will be under the specific plan! Let me say, further, that I received my first Real Estate Brokers license in 1946, so I approach the specific plan with the eye of a professional.

My thanks and felicitations to the person who researched and compiled the history of Fish Camp in Appendix 1. Very well done. It will be of value.

Now, may I pass through the pages of the specific plan, and call your attention to items I would suggest need further study, and possibly revision. I know the committee spent a lot of time on these, and I have only spent about a day and a half, so I just may not have a full understanding of the intent, and will be pleased to be corrected. If I sound critical, forgive, I just want to be as honest as I can in my appraisal.

Page 9 #4. "Mariposa County provides snow removal services on the existing County roads. Non County roads have obtained snow removal services through contracts with the County and local businessmen." Partly true. There are many County roads that receive absolutely no service of snow or other services. We live on one, and we are not on a non-county road. We are just as much a County Road as Railroad avenue which does get snow removal, and other maintenance. I assume I pay the same kind of taxes, too, maybe more since I was reassessed when we remodeled a couple of years ago. This inaccurate statement appears in many places in the specific plan draft.

Page 10 J. "69 undeveloped lots (some may not be improvable because of present building code requirements) remain in these subdivisions." No doubt it is the Sanitarian that prevents the development of these lots, and if this County would approve a closed septic system, as other counties have now done, and as the State uses in some of its facilities, these lots which at the time of their acceptance by the County were legal building lots, could be improved. I have recently spent considerable time and money in an endeavor to obtain approval of one of these 69 lots, and was imminently unsuccessful. Is this not reverse condemnation? No doubt a community sewer system is the answer.

Page 10 J. "However it should be noted that the permanent population could grow significantly as towns in nearby Fresno and Madera County contrive to grow, with Fish Camp expected to become somewhat of a retirement and bedroom community for the area." No way. My profession is to help people appreciate Fish Camp, and want to live here, but it takes a very special kind of person to live or retire in Fish Camp. You must like snow and lots of it. You must be willing to be 55 or so miles and better than an hour of driving to the nearest hospital (so important to retirees.) You must be willing to be sixty miles or so from major shopping areas (apologies to the Fish Camp General Store.) You must be willing to put up with numerous power outages, telephone outages, and occasional Cal Trans breakdowns with resultant snowboundness. You must be willing to drive sixty crooked miles to cultural and educational pursuits, arriving home in the wee hours of the night after a symphony concert, for instance. But, saying all that, I recognize there are a few of us of that different breed who have chosen Fish Camp for home. Not many others are willing. I know! I've tried convincing many during the three years I've been selling Real Estate here. Bedroom community? When did you last drive those thirteen miles from Oakhurst? My son-in-law says it is the crookedest 13 miles in the world. Not many people want to tackle that, either. In my opinion, this will remain essentially a second home community.

Page 13 A 3. "Planning department services, applications and information should be made available on a regular basis in the community of Fish Camp." Right on. I don't believe we even have a representative either on the planning commission or the board of supervisors at present. No doubt we need information.

Page 14 V 1. "To provide for an orderly expansion of the community of Fish Camp." Can Fish Camp expand? Aren't we pretty well bound by Forest Service and Yosemite Mountain Ranch? Mariposa, Midpines, Bootjack, et. al. can orderly expand, but I believe we must just develop what we already have in our constricted area. That should cause us to be more generous in our thinking of lot sizes, than possibly would be the case in Mariposa, et. al., since we cannot expand. Or do we want to say, "We're here, and we like it, but please don't let many more come."

Page 14 V 2. "To provide for, and promote, planned commercial and residential development within the F C T P A." This one will need to be explained to me. How does the plan promote when it starts with the smallest lot as $\frac{1}{2}$ acre. We could do a better job of promoting if we made lot sizes smaller, and shared our beautiful community with more people.

Page 14 V 7. "To promote and provide adequate and cost effective public services such as fire protection, water and sewer services and snow removal." Agreed, but somehow roads were left out. Can't we promote road service, too? Some study really needs to be given in this area.

Page 17 e. "The vertical distance from the uphill side of a building to the highest point of a building shall not exceed 35 feet above natural grade line." Would this even allow for a three story, if such were to be built to replace Silver Tip Lodge on that relatively level area? I discussed this with a general contractor and he believes it would be exceedingly tight with the services you need between floors for air conditioning, etc. He suggested a minimum of 36' depending upon how steep the roof would be. Is three stories the highest we are thinking should be built? Many homes in town are three stories high.

Page 17 f 1 a. "One lodging unit shall be permitted for each 5,000 sq. ft. of net lot area." If I have figured right that would mean that a net acre would be approx. 40,000 sq. feet and on a five acre plot only 40 units in a condo or hotel could be built. It would be extremely difficult to come up with an investor who will want to pay the prices of the extremely valuable and rare resort commercial land in Fish Camp, with that kind of density. I would suggest doubling the density, in the light of the statement, "to provide for and promote planned commercial...development." With a sewer system, double the density would easily be possible.

Page 20 VI a. "Setbacks - front 20', side 10', rear 20'."

b. "25' between buildings for residential purposes." Very few of us have such setbacks now, and is it reasonable to require it of our neighbors who are joining us, at least on those lots in the present subdivisions that are available for building. Very few of them would be buildable, either with the side setbacks or the 25' between buildings. With these kinds of ordinances, planning could also be engaging in reverse condemnation.

Page 22 VI d 3. "All required off-street parking spaces within residential areas shall be encouraged to be located to be easily accesible from the street when there is snow on the ground." We who live on some of these County roads find ourselves parking for months on Highway 41.

Page 22 VI f 1. "Only signs of a non-commercial nature shall be permitted in a residential area." Are those signs now existing to be removed? This would mean removal of White Chief, Green Meadows and my Real Estate sign from along Highway 41, for they are all in residential area. Does this really mean that? I am grateful that later Real Estate signs advertising home for sale are exempted

Page 22 VI f 2. "No sign shall exceed two square feet in area." Highway travelers would have to look fast to see a White Chief sign two square feet in area!

Page 23 VI g 4. "Does not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which such use is located." I believe this home occupation business is talking about me, for I am the only person in town doing business in my home, with a sign indicating my business. With regard to generating traffic beyond normal, I don't believe my office could be indicted on that count, for though I might wish it different, I have on the average of two cars a week calling to inquire about real estate.

Page 23 VI g 7. "Signs advertising a home occupation business and externally visible shall not be allowed." Again, this must be me, at present. I do have a sign on the front of our home that is the same size as my For Sale signs, 18" X 24" indicating the office is in my home. There are three Real Estate professionals in Fish Camp. We all work out of our homes. The other men are associates (salesmen) and do not need to identify their office (for they hang their license in brokers offices in Oakhurst and Fresno,) but I must identify

my office with a sign, as a broker, by State Real Estate Law. Hence the modest sign. Before opening my office in my home I talked with all my close neighbors to make sure I would not offend them, and they all agreed it was alright. Real Estate work is fun, and I feel I am helping people--both buyer, seller, and even the "tire-kicker." So I would like to continue my business in Fish Camp, but do not wish to rent an office, for it would take me away from home, and during my working years I travelled away from home, and cherish the time at home now. Further, there are presently no suitable offices for Real Estate in Fish Camp, and I suppose even if there were, and I were inclined to rent one, I would not generate enough from sales in Fish Camp to pay for the rent. I know I would not have this year. No doubt I will be "grandfathered" in, and be permitted to continue, or the plan could be amended to set lot 35 in Block D apart as a commercial lot. I don't suppose it would be any stranger than where commercial now appears on the map, in some unique places, in the middle of residential, but because it now exists the map indicates it as commercial.

Page 29 VII A 2. "The feasibility of combining the existing water suppliers into a community water district should be evaluated. Such action should reduce overall costs and provide improved service to the entire community." No doubt true to all subdivisions with the exception of Block D, and there it might possibly improve the service, though our service has been quite good for the past year or so, but it could hardly reduce our costs, for Block D has "free" water in perpetuity, as recorded in our deeds.

Page 30 #4. "This has produced a variety of subdivision roads that create problems with access and maintenance." Were not these roads all approved by the County at the time the subdivisions were created, and were they not also accepted into the County system (except YAV.)?

Page 30 #7. "Dirt roads which are difficult or impossible to keep passable in winter." Let's get them paved!

Page 33 #2. "All proposed parcels not connected to a commercial sewer facility should have adequate septic areas (including 100% replacement) located at least 100 feet beyond the high water mark of the 10 year flood level of Big Creek." We have addressed this issue elsewhere, but what is meant by the word commercial? Community wide, or just a plant approved by Health department and provided by the developer? Should this not be made clear? If it is impossible to get the citizens of Fish Camp to agree to a community wide sewer plant, this section could dictate that all future subdivisions would be no less than $2\frac{1}{2}$ acres. Let's spell out what is meant by commercial.

Page 36 C 2. "All street names should be signed as to be visible from all intersections." Great. When do we get our signs in existing subdivisions (except Yosemite Alpine Village?)

Page 38. "Promoting more intensive land uses..." We've dealt with this elsewhere, but it seems contradicted by what is indicated as to future development according to the map in the specific plan.

Page 39. "Promoting greater densities within the TFA will also meet the goal of providing affordable housing without affecting the environment or the rural lifestyle of Mariposa County." A true statement. But, given the situation as proposed by the map, nearly every lot in Fish Camp is going to be non-conforming, and instead of selling a $1/10$ acre to $1/3$ acre lot, I will be asked to sell lots beginning at one acre--how does this "promote greater densities?" And does anyone believe 1 acre lots will sell at the cost of a $1/10$ th acre or $1/3$ acre? Affordable? This specific plan will boost the prices of all future subdivisions.

Page 39. "The proposed specific plan will also help to preserve existing residential neighborhoods which may be eroded by the intrusion of intensive resort commercial development. By establishing specific resort commercial land use areas, this erosion can be eliminated." I'm not sure what this is intended to say. Does it mean the present subdivision might be "eroded." Surely it does not mean new subdivisions, for the planning commission has complete control over these, so it must mean present. How does this "erosion" come about? With renegades like me? Or maybe a dentist or doctor with enough courage to retire in Fish Camp, and do just a bit of practicing in his home on the side. What a blessing it would be--not erosion. I know of no area where a hotel could be built in the present subdivisions, so it could hardly be speaking to that type commercial development. I'm still not clear on this.

Page 41 XI A 1. "Potential conflicts between residential and resort commercial uses and unstable property values." Unstable because of the intrusion of commercial. Perhaps, but in most cases unstable upwards. Places along Highway 41, in block D, would be worth considerable more, if there were commercial interests wanting to move into that area. Which there are not! But the instability would only be upwards, which most of us would gladly accept.

Page 41, 3. "Potential congestion and circulation hazards associated with poorly planned streets and roads." Planning department already has this in its prerogatives for any future development, and present system is stable and has created few problems. I suppose I drive all the streets of Fish Camp more than anyone else, with the probably exception of the garbage truck, and I am aware of only a few hazards, and they center mostly around private drive encroachments on Highway 41. Perhaps by paving the streets adjacent to the highway and eliminate those encroachments, those hazards could be removed.

Page 41, B. "The community planning council has spent a considerable amount of time in public meetings developing the proposed plan." I salute my fellow citizens for a monumental work. But, again I question the use of word "public."

Page 41, B. "Mitigating policies and standards may be infeasible and/or inadequate if different densities and land use patterns are established. Therefore, such alternatives are considered undesirable to the residents of Fish Camp and to the local environment." Which is to say, we do not really intend to "promote" or make "more intensive land use" as indicated by the County General plan. Why did we go through all the motions, then, if there was no intent to really do anything about it? And, I am not sure the TPC really speaks for all "the residents of Fish Camp." What efforts did they make to seek counsel other than their own. What approaches did they make to the 90% of the property owners who aren't resident, but have a positive interest in Fish Camp?

May I refer to the map for a few comments. The specific plan suggests we should not proliferate resort commercial areas in diverse and poorly planned areas, but please observe on your map where the TPC has placed some of these resort commercial areas. White Chief Lodge, South Gate Trailer Court (an proposed hotel) seem to me to be in poorly planned areas for best planning. If the Planning Commission was going to lay out a town, it would certainly not look like this one. So we make the best of a situation, and I don't object to that at all.

In addition to the resort commercial areas indicated on the map, would it not be well to indicate additional areas along highway 41 that could be for either resort commercial or professional office type occupancy? We do not have any professional office area, or areas. Perhaps along the highway in Block D, or South of the store.

Following the specific plans suggestion on page 50 and elsewhere of "encouraging greater densities in the urban" perhaps a more logical progression of planning would be from resort commercial, to professional, to 1/3 acre, to 1/2 acre, to 1 acre, to 2 1/2 acres to 5 acres. It would give us greater density, and also make fewer of the present subdivision lots non-conformi


With this progression Kellers undeveloped acreage West of the highway would be designated as resort commercial, to 1/3 acre, then 1/2 acre, and to 3/4 acre and finally 1 acre toward the top of the acreage. The other Keller plot to the East of the highway would be some 1/3 acre, 1/2 acre for most, then possibly to 3/4 toward the South and East, finally with 1 acre for the Compton parcel now indicated at 2 1/2 acre. Winterbergs parcel would logically be 1/2 or possibly 3/4, sandwiched as it is between Block D, and resort commercial. Yosemite Mountain Ranch should begin with 2 1/2 acre then into 5 acre. Present subdivisions could be designated as 1/3 acre, but of course this is all rather academic since they have been accepted by the County at their present sizes. It seems to me that this is a more logical progression, and more faithfully follows the general plans counsel to "encourage greater densities in the urban areas." It would also give us more affordable land.

Appendix II states, "Maintenance of the County Road system is the responsibility of the Mariposa County Road Department." Right! Just what we were saying. Nice of the specific plan to agree.

Appendix III deals with the wastewater and is an issue to which the citizens of Fish Camp need to come to grips. The costs are scary, but with higher density as we have advocated it would proportionately reduce the cost of a sanitation project. More lots, more distribution of the costs. It was not stated on what basis the distribution was made, but it seemed to be on tax values, and under proposition 13 persons with equal homes could have greatly diverse taxable values. Perhaps there is another more equitable method for assessing the wastewater installation costs. Is there a method too of equalizing the costs for those who only occasionally come up, as opposed to we who are here year-round? And was the cost indicated in the plan to be a continuing fee, was it a one time, or would it continue over a span of years? No mention was made of federal funds for this type project. Are there not federal funds available?

Sorry to have been so lengthy with this letter, but I thought it all needed to be said. It is my hope that nothing I have written will be misunderstood, but will be taken with the grace with which it was intended. I would not object to having any, or all of it read at the public hearing. Sorry I cannot be present to relate it personally. Thank you for listening to my offering.

Respectfully yours,


Henry T. Bergh
Licensed Real Estate Broker

xc: Beverly Barrick, Supervisor, District 1
James Kendrick, Chairman Planning Commission
Janice Hickman, Planning Commission, District 1
Robert Egan, Chairman FCCPAC
Robert L. Borchard, Planning Staff

RECEIVED

OCT 13 1982

MARIPOSA CO.
PLANNING COMMISSION

Mariposa County Planning Commission
5101 Jones Street
Mariposa, California 95338

October 10, 1982

Dear Sirs,

I wish to protest the zoning plan as presented by Mr. Bill Kidwell of Oakhurst, Chairmen of the Land Use Committee for the Fish Camp Town Planning Counsel.

The following facts are well known and documented and I will address them in order to express my belief there is ample evidence to prove conflict of interest, favoritism and collusion.

The members of the Fish Camp Town Planning Counsel were selected by Mr. Robert Keller of Fish Camp and Mr. Bill Kidwell and presented to Mr. Jim Owens, Supervisor for the County of Mariposa who appointed the Counsel Members. Mr. Owens character is attested to by the fact he was indicted by the California State Attorney General for improper acts while in office and he was subsequently removed from office.

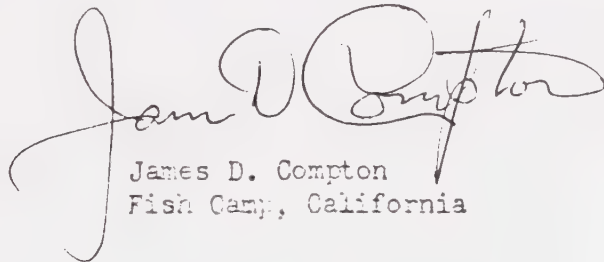
Mr. Keller is a documented liar and seems to be connected with most covert actions in the area.

Mr. Kidwell has expressed his opposition to commercial development in the Fish Camp area while acting as President of the Eastern Madera County Chamber of Commerce in Oakhurst. He was specifically empowered by the Chamber of Commerce to promote tourism and commerce in the Oakhurst area. This is clearly a conflict of interest on the part of Mr. Kidwell. Mr. Kidwell did attempt to use his position as Chairman of the Land Use Committee to down zone the existing White Chief Lodge, South Gate Trailer Park and the then Mile High Frostee Restaurant. This met with overwhelming opposition and he was forced to leave these properties in their proper zoning. However Mr. Kidwell did propose to more than double the commercial acreage controlled by his cohort, Mr. Keller. Mr. Kidwell proposed the noncommercial properties controlled by Mr. Keller be

zoned one acre residential while proposing my property adjoining the Keller properties be zoned two and one-half acre residential. These two action clearly reflect favoritism and collusion.

I do not find fault with all the members of the Fish Camp Town Planning Counsel. There are some fine intelligent people on the counsel such as Mr. Cal Vincent and Mrs. Lillian Smith and they are surely entitled to their desires regarding the community. I do find fault in the selection process of the counsel members in not selecting an equal balance of counsel members who are pro and con development in the Fish Camp area and for selecting counsel members who are indebted to or controlled by Mr. Keller

I suggest the Mariposa County Planning Commission be very cautious when reviewing the Fish Camp town plan and not condone action and recommendations that would place the County of Mariposa and its officials in a precarious position.



James D. Compton
Fish Camp, California

3455 Fela Avenue
Long Beach, California 90808
18 November 1982

Mariposa County Planning Commission
5101 Jones Street
P.O. Box 2038
Mariposa, California 95338

Upon reading the Draft Fish Camp Town Planning Area Specific Plan and Environmental Impact Report we noted the following problems:

- *Road map needs two towns labeled where roads lead off of Rt. 99 toward Fish Camp.*
- *A map with contour lines would be more explanatory than lengthy paragraphs describing the terrain of Fish Camp.*
- *Fish Camp areas A, B, C, and D are discussed in the report but are not defined adequately or shown on any figure.*
- *Figure showing minimum allowable height of houses as 35' is wrong. Figure does not show chimney height. I believe the intent of the requirement was to prevent a person from building a house in such a manner as to block the view of another house. If the chimney is not included in the requirement, a person could build the roof to 35 feet as shown on the figure but build the chimney 20' wide and 20' above the roof high point.*
- *There is no statement in the report indicating a "grandfather" clause; that is, what exists stays, and will not be changed by the report.*
- *The restrictions on engaging in commercial enterprises in your house seem too restrictive. They essentially eliminate all commercial activities except resort-commercial. This is too restrictive. Other commercial activities may want to move into Fish Camp with the new*

higher density population the report implies will be coming to Fish Camp.

- Sign restrictions should be reviewed. They are too restrictive to new businesses and businesses operated out of residences.

We request that these comments be incorporated into the minutes of the public meeting and considered in revisions to the report.

Respectfully submitted,

Edgar S. Mills Sarah M. Mills
Edgar S. and Sarah M. Mills

Mariposa County
Building Department



5101 Jones Street
P. O. Box 1268
Mariposa, California 95338
209-966-3934

October 19, 1982

RECEIVED

OCT 19 1982

MARIPOSA CO.
TRAINING COMMISSION

From: Manuel Dillard, Chief Building Inspector
To: Larry Enrico, Associate Planner

Subj: Fish Camp Specific Plan/Draft E. I. R.; comments on

Under the heading of General Sign Standards, it does not address the requirements for the sign permit.

In reference to General Carport Standards (page 28), item 3, this conflicts with the Uniform Building Code.

MD/sw

SURVEYING - MAPPING - DRAFTING

PHONE (209) 966-3926

RECEIVED

SEP 15 1982

MARIPOSA CO.
PLANNING COMMISSION

September 13, 1982

Mariposa County
Planning Commission
P.O. Box 2038
Mariposa, Ca. 95338

Attn: Mr. Larry Enrico, Associate Planner

Dear Larry,

This letter is written on behalf of Mr. James Compton, who owns a parcel of land in Fish Camp, Ca. The parcel contains 21.49+ acres and is delineated as Parcel 4 on Parcel Map Book 10, Page 27, Mariposa County Records.

The Parcel is classified as Single Family Residential (2½ acre minimum) on the proposed Specific Plan for Fish Camp; both Mr. Compton and I believe the highest and best use of this parcel would be to place a portion of the land in the Resort Commercial land use designation. Enclosed please find 6 copies of a Plat Map indicating approximately 16.5 acres to be left in 2½ acre single family residential and approximately 5 acres adjacent to State Highway 41 which we feel should be placed in Resort Commercial. The reasons for the requested change to Resort Commercial classification are as follows:

(1) The property has an existing State of Ca. approved encroachment and is ideally situated for ingress and egress from Highway 41.

(2) The Resort Commercial classification would not interfere with adjoining property owners residential uses to the north due to a natural buffer area consisting of a meadow. The proposed land use classification to the south is already Resort Commercial.

(3) The proposed Resort Commercial land use classification presently exists in only three places along Highway 41; allowing a portion of this property to have a Resort Commercial classification is good planning for future development.

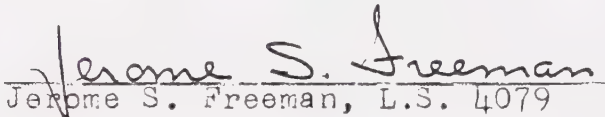
SURVEYING - MAPPING - DRAFTING

PHONE (209) 966-3926

(4) The proposed Resort Commercial classification only allows one single family dwelling unit for each land parcel subject to requirements. This would allow the community residents control at any time another use was proposed, since a conditional use permit would have to be approved by the county.

Thank you for your consideration to this matter.

Sincerely,


Jerome S. Freeman, L.S. 4079

JSF/mla
enclosures

cc: Mr. James Compton

To be submitted as part of permanent record.
11/20/1982

FISH CAMP PROPERTY OWNERS SURVEY RESULTS
January 1979

Total Mailing 170
Total Received 84 (49%)

Questions 1-4 listed individually with property information
Question 3C - Home used 180 days per year or more (17) 20%

OPINION QUESTIONS

Question 1. Restriction on lot size? Yes (78) 93%
No (6) 7%

(Yes answers N=78)

Minimum 1/4 acre	(16)	20%
1/2 acre	(34)	44%
1 acre	(16)	20%
1 1/2 acre	(3)	4%
2 acre	(3)	4%
More than 2 acres	(2)	3%
Misc. & no answer	(4)	5%

80% 90%

Question 2. Restriction on square footage and/or design? Yes (68) 81%
No (16) 19%

(Yes answers N=68 plus multiple answers)

Yes only	(19)	28%
Compatible design	(22)	32%
Minimum square footage	(20)	29%
Building height	(6)	9%
Maximum square footage	(4)	6%
No metal roofs	(4)	6%
No mobile homes	(2)	3%
Misc. and no answer	(8)	12%

Question 3. Balance of housing types

a. Single Family Homes

100%	(45)	54%
90-100%	(18)	21%
80- 90%	(4)	5%
60- 80%	(3)	4%
under 60%	(3)	4%
Misc. and no answer	(10)	12%

50%

b. Condominiums

None	(56)	67%
30-65%	(2)	2%
10-30%	(7)	8%
0-10%	(8)	10%
Misc. and no answer	(11)	13%

c. Apartments

None	(69)	82%
0-6%	(4)	5%
Misc. and no answer	(11)	13%

d. Duplexes/Triplexes

None	(63)	75%
10-15%	(1)	1%
0-10%	(9)	11%
Misc. and no answer	(11)	13%

e. Mobile Homes

None	(74)	88%
5%	(3)	4%
Misc. and no answer	(7)	8%

f. Motels

None	(48)	57%
10-20%	(3)	4%
5-10%	(9)	11%
0- 5%	(10)	12%
Misc. and no answer	(14)	16%

Question 4. New businesses? None (36) 43%

Suggestions (multiple answers)		
Larger market (General store)	(17)	20
Restaurant	(10)	12
Another motel	(7)	8
Laundromat	(5)	6
Hardware	(5)	6
Drugstore	(5)	6
Gift shop	(3)	4
Auto repair	(3)	4
Misc. and no answer	(17)	20

Question 5. Should Fish Camp attract tourists? No (75) 89%
Yes (7) 8
No answer (2) 3

(All 7 Yes answers were single mentions and have been counted in either Question 4 or Question 6.)

Question 6. Areas for recreation? No (56) 67%
Yes (24) 28
No answer (4) 5

Suggestions (multiple answers)		
Snowplay areas	(16)	19%
Hiking and Bike trails	(7)	8
Picnic areas	(4)	5
Swimming pool	(4)	5
Recreation center	(3)	4
Tennis courts	(3)	4
Misc. answers	(13)	15

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICEBass Lake Ranger District
41969 Highway 41, Oakhurst, California 93644-9435

NOV 16 1982

MARIPOSA CO.
PLANNING COMMISSION

2730

November 17, 1982



Mariposa County Planning Office
Attn: Mr. Larry Enrico
P. O. Box 2038
Mariposa, California 95338

Dear Mr. Enrico:

Thank you for the opportunity to comment on the specific plan and draft Environmental Impact Report, much hard work has been accomplished. I also appreciate the opportunity to attend some of the Fish Camp Town Planning Meetings and work with the Council.

A general comment that I'd like to start with is to encourage the Town Planning Council to use the reference "Fire Safe Guides for Residential Development in California" produced by the California Department of Forestry and the United States Forest Service. This guide is to be used by planners, developers and fire agencies as a source of standards for fire prevention in situations such as the Fish Camp Town Planning area. A copy is enclosed.

Some specific comments are: we would like to have the plan include a specific set-back of 30 feet for all buildings from the National Forest boundary. This would allow for compliance with Public Resources Code No. 4291 which speaks to a 30 foot clearance around all buildings of flammable vegetation or other combustible growth.

On Page 8, Item I, Governmental Organization and Service. A recommended addition is that "The Fish Camp Town Planning area is bordered by the Sierra National Forest on its north, east and south sides.

On Page 29, Item B, Traffic and Circulation. A suggested change is that the circulation system of the area serves three principle functions instead of two. The third principle function would be seasonal recreation, logging, and woodcutting on Sierra National Forest lands. The circulation system of the community is analyzed considering four factors. The fourth factor reads "access to recreational areas" and we would like to add "and forest product areas such as timber sales, firewood cutting areas, etc."

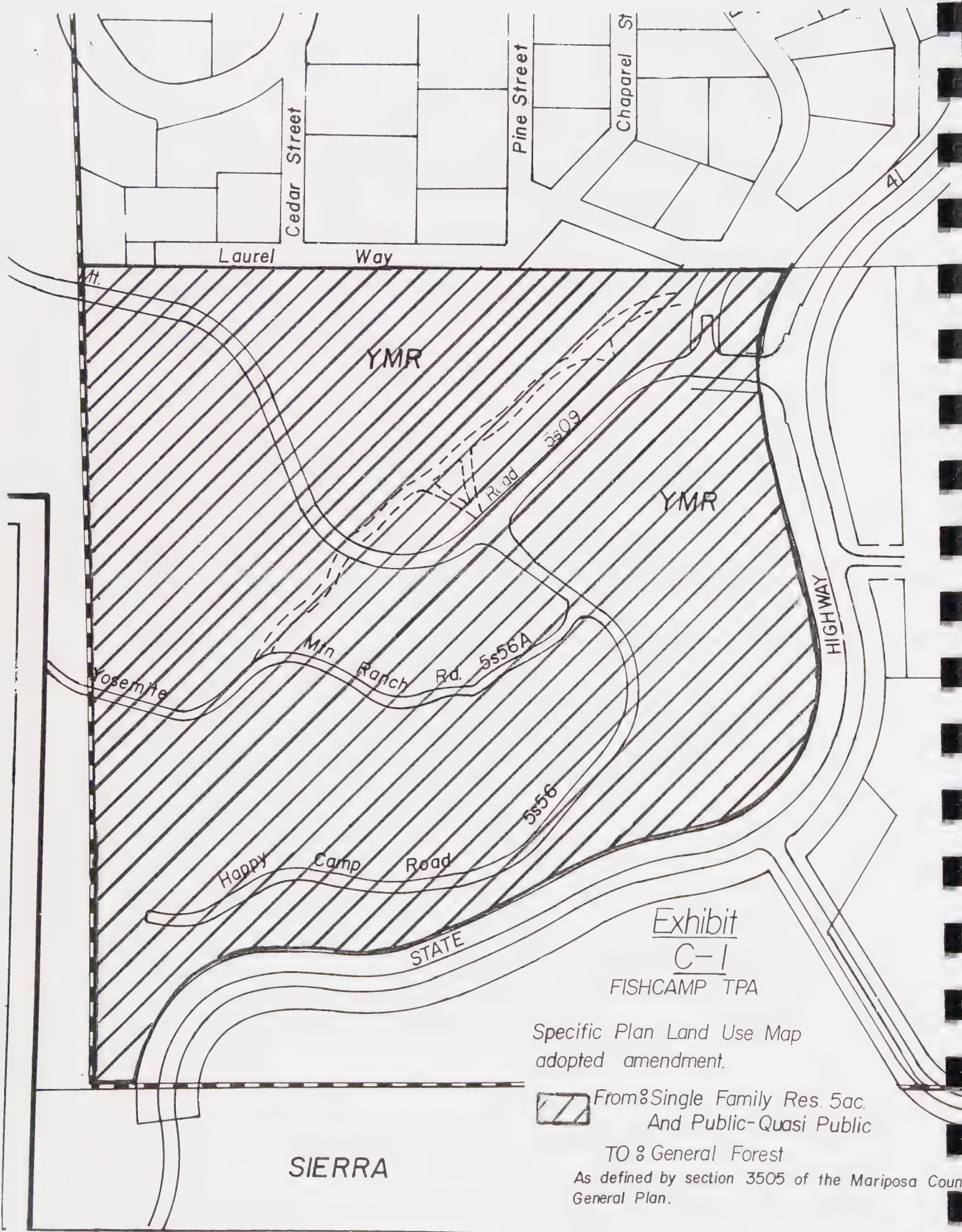
On Page 30, the analysis of existing conditions contains four items, we would like to add a fifth item to read "boarded on three sides by National Forest land". Discussed are seven problem areas and we would like to add an eighth area to read "Road maintenance during timber harvesting activities." That's followed by Mitigating Policies and Procedures. Five are cited and we would like a sixth to read "all Mariposa County roads used during timber harvesting activities are maintained by Mariposa County under a cooperative road maintainance agreement with the United Stated Forest Service".

If you have any questions or comments please Irl H. Everest at the Oakhurst Office, 683-4665.

Sincerely,

A handwritten signature in cursive script that reads "Irl H. Everest".

IRL H. EVEREST
District Ranger



YMR

YMR

Yosemite

Mtn Ranch Rd.

Bd. 5s56A

5s09

5s56

Happy Camp Road

STATE

SIERRA

Exhibit
C-1
FISHCAMP TPA

Specific Plan Land Use Map
adopted amendment.

 From 8 Single Family Res. 5ac.
And Public-Quasi Public

TO 8 General Forest
As defined by section 3505 of the Mariposa County
General Plan.

Exhibit
C-2

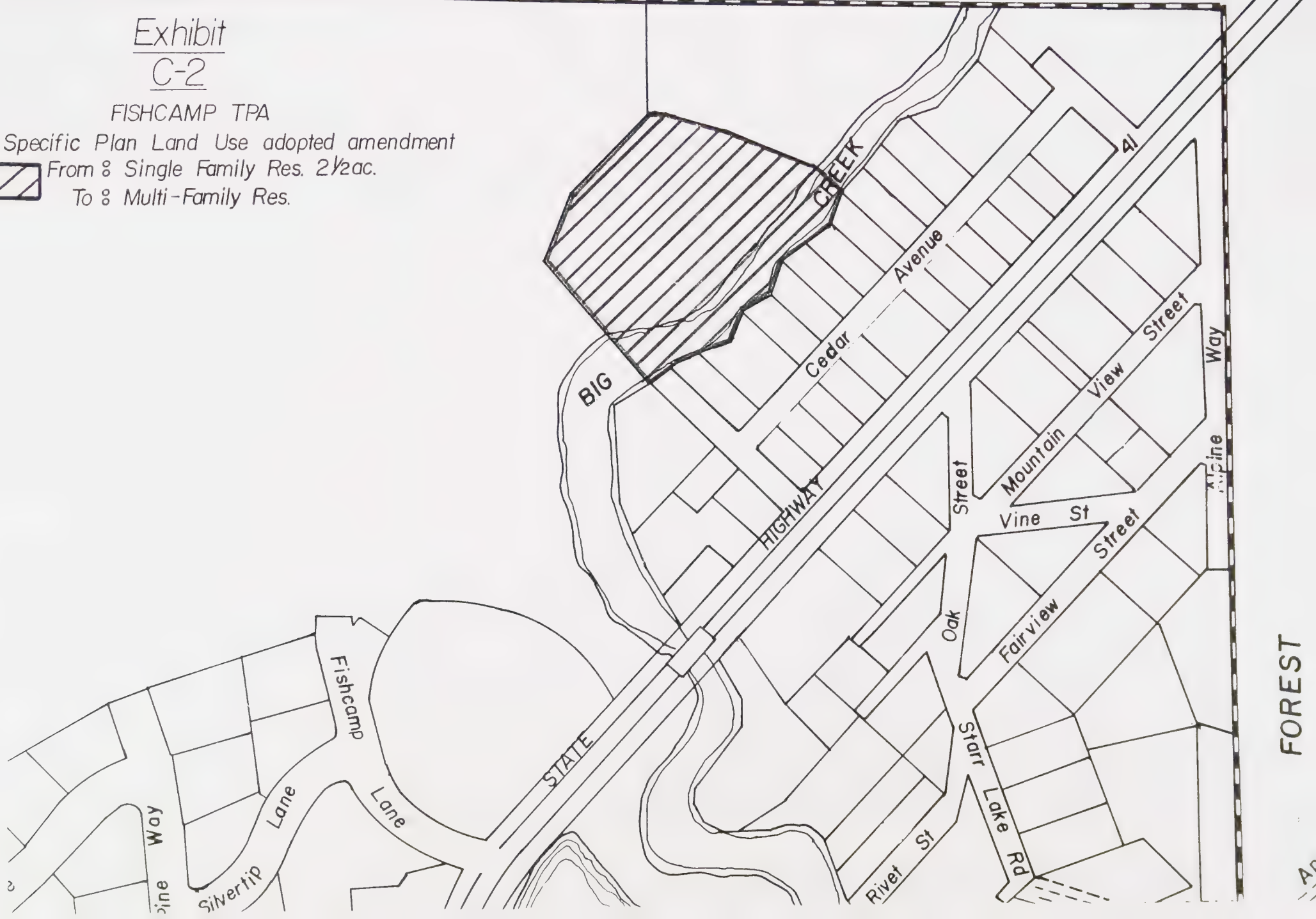
FISHCAMP TPA

Specific Plan Land Use adopted amendment



From 8 Single Family Res. 2½ac.

To 8 Multi-Family Res.



NATIONAL

FOREST

Exhibit
C-3

FISHCAMP TPA

Specific Plan Land Use adopted amendment



From 8 Single Family Res. 2½ ac.
To 8 Single Family Res. 1 ac.



EXHIBIT D-1

Summary of comments received during the Board of Supervisor's Public Hearing relative to the Draft Environmental Impact Report for the Fish Camp Specific Plan in accordance with Section 15146 (a) 2 of the California Administrative Code.

I. WRITTEN COMMENTS:

A. Mrs. Harold Welch

1. Concerned that proposed land use for the Yosemite Mountain Ranch property is too intense, creating impacts on nearby residential properties.
2. Concerned that future development in Fish Camp may affect existing water supplies.

B. Alda Rider

1. Comments similar to A.1, and A.2, above.

C. J.D. and H.P. McClymonds

1. Concerned about contamination of Big Creek from septic effluent created by future development in swampy areas.
2. Other concerns are similar to A.1 and A.2 above.

D. Judy Saelzer

1. Concerns are similar to A.1, A.2 and C.1, above.

E. Mr. and Mrs. Wright

1. Comments do not pertain to the E.I.R.

F. Ken and Shirley Marshall

1. Comments do not pertain to the E.I.R.

G. Roger Wood

1. Concerned about the proposed commercial land use in the meadow behind the Silver Tip Lodge site due to limitations posed by soil type, drainage and high ground water.

H. Jim Bersotti

1. Comments do not pertain to the E.I.R.

I. Bud Cook

1. Comments similar to A.1, A.2 and C.1 Above.

J. Karolynn Peterson

1. Comments similar to A.2 and C.1 above.

I. WRITTEN COMMENTS (cont'd)

K. Charles Nelson

1. Concerns expressed in regard to the possible destruction of the historical and scenic cove in Fish Camp by commercial and residential growth.
2. Concerns expressed regarding impacts associated with commercial development near residential areas.
3. Concern expressed regarding commercial and residential development near the banks of Big Creek.
4. Concern expressed regarding commercial and residential development in the wet meadow areas.
5. Concerns expressed regarding impacts to rare and endangered plants in Fish Camp.

L. J. Edward Martin-Yosemite Mountain Ranch

1. Concern expressed regarding impacts created by log truck traffic through the area proposed for single family residential 2½ acre minimum parcel size.

II. VERBAL COMMENTS:

A. Les Pacheko

1. Comment similar to A.2 above in I.Written Comments section.

EXHIBIT D-2

Response to comments received in regard to the draft E.I.R. for the Fish Camp Specific Plan.

- Comment A.1 Response: In response to this concern and others, the Board of Supervisors has amended the land use map to place the Yosemite Mountain Ranch into the General Forest Land Use as set forth by Section 3.505 of the General Plan. Although, conflicts between the Timber Operation and adjacent residential properties may occur during timber management and harvesting activities, the Board has determined that this impact is not significant and does not require further environmental review.
- Comment A.2 Response: The Environmental Impact Report provides for proof of adequate and reliable supplies of water for domestic and fire protection services prior to issuance of a development permit for any commercial or residential development.
- Comment C.1 Response: The Environmental Impact Report provides extensive mitigation measures to ensure adequate filtration of septic effluent and to minimize reductions in surface water quality. These mitigation measures include adequate set backs from Big Creek.
- Comment G.1 Response: The author assumes that Mr. Wood's comments are relative to impacts associated with septic disposal and building constraints on saturated soils. Present County grading and building standards are designed to deal with soil conditions of this type. Potential impacts associated with septic effluent are discussed in the response to comment C.1 above.
- Comment K.1 Response: All commercial development proposals are subject to review through the Use Permit provisions. It is assumed that any project processed under these provisions would be reviewed to ensure proper architectural design, building location, and building materials so as to enhance the visual quality of the area. Archaeological resources in the area were not considered as unique in accordance with Section 21083.2 (g) of the Public Resources Code and specific protection measures were not required. This finding was reviewed by the State Office of Historical Preservation which had no comment.
- Comment K.2 Response: Commercial development is presently permitted through the Conditional Use Permit process in any part of the Fish Camp Town Planning Area. The Specific Plan has reduced the potential commercial areas to approximately 30-35 acres located in various areas throughout the 280 acre TPA. The Plan requires that all commercial developments obtain conditional use permits prior to development. Environmental and land use impacts will be reviewed and addressed on a project basis as such use permit are submitted.

- Comment K.3 Response: The Specific Plan does not allow for any residential or commercial development within the Big Creek Flood Channel. In addition, septic disposal areas on future development proposals are to be located at least 100 feet beyond the 10 year flood level of Big Creek.
- Comment K.4 Response: See response to comment G.1 above.
- Comment K.5 Response: Specific mitigation measures for protection of identified rare and endangered species are contained on page 34 of the document.
- Comment L.1 Response: Concern noted, however the proposed Specific Plan does not allow for any future subdivisions in the area identified.

APPENDIX IV

I. PLANNED DEVELOPMENT APPLICATIONS

A. Purpose. These provisions are intended to provide the administrative procedures for planned development applications, and are not intended to alter the original content or purpose of the Specific Plan. A planned development is intended to provide a process which can permit and encourage logical or desirable development and carry out the objectives of the Fish Camp Specific Plan by:

1. Permitting flexibility in development of commercial districts in close proximity to residential areas while protecting the character and quality of adjacent residential uses;
2. Permitting clustering of multiple-family developments or single-family dwellings on lots smaller than county minimum in appropriate locations within single-family land use classifications with suitable controls imposed;
3. Providing for the location, under suitable safeguards, of desirable types of commercial uses adjacent to and within residential areas;
4. Permitting planned developments on a large scale in accordance with the provisions of the Specific Plan which would include a combination of any two or all of the developments mentioned in subsections 1, 2, and 3;
5. Permitting the redevelopment of parcels for residential or commercial purposes or any combination thereof, in areas already built upon, but which now have marginal development;
6. Permitting commercial development on lots smaller than county minimums in appropriate locations within commercial land use classifications with suitable controls imposed.

B. Approval of the Plan. Applications shall be initiated by the owner or owners of the land.

Applications for the establishment of a P-D must include a development plan as described herein. The P-D approval shall be processed in the manner as provided for approval as described herein. Applications and development plans will be reviewed by the planning department prior to submission for review by the planning commission. The planning department's preliminary review shall consist of plan review with the applicant to gain a full understanding of the planned development proposal and environmental review consistent with adopted county policy. The planning commission may approve, disapprove, modify, or attach conditions to a development plan.

C. Findings required for approval of a Planned Development. The planning commission, after a public hearing, may recommend the approval of a planned development; and the board of supervisors, after a public hearing, may by resolution approve a planned development provided they find that the facts submitted with the application and presented at the public hearings establish that:

1. Each individual unit of the development if built in stages, as well as the total development, can exist as an independent unit capable of creating a good environment in the locality and being in any stage as desirable and stable as the total development;

2. The uses proposed will not be a detriment to the present and proposed surrounding land uses, but will enhance the desirability of the area and have a beneficial effect;

3. Any deviation from the subdivision title requirements is warranted by the design and additional amenities incorporated in the development plan which offer certain unusual redeeming features to compensate for any deviations that may be permitted; and

4. The principles incorporated in the proposed development plan indicate certain unique or unusual features which could not otherwise be achieved under standard subdivision provisions.

D. Principal Permitted Uses. In a planned development,

any use may be permitted provided such use or uses are shown on the development plan for the particular P-D and is approved by the planning commission and board of supervisors. An approved development plan shall be considered an addition to or augmentation of the Fish Camp Specific Plan.

E. Use Permits. 1. A use permit shall be required for all uses in a P-D with the exception of a single-family residence on an approved building site and buildings accessory thereto which serve the domestic needs of single-family dwellings.

2. A use permit may be issued by the planning commission at the option of the planning commission without a public hearing if the structure or structures comply with the adopted development plan and conditions thereof.

F. Development Plan--Design and Location. A planned development shall be designed and located so as to minimize traffic congestion on public highways and streets in its vicinity and to best fit the land use pattern and topography of the area in which it is located.

G. Filing Fees. There shall be a fee prescribed by resolution of the board of supervisors to provide for the costs for processing the application and the development plans.

H. Application--Items Required. Planned development application shall be accompanied by:

1. A completed application on a form provided by the planning department.

2. The required fee.

3. A plan proposal prepared according to the specifications as described for the development plan in Section I.

4. A legal description by metes and bounds of the area to be affected by the planned development; and

5. A list of names and addresses of property

owners with property located within six hundred feet of the proposed planned development.

I. Development Plan--Components. 1. The development plan shall include all of the following:

a. A site plan map which shows;

(1) Existing and proposed private and public streets and sidewalk improvements,

(2) Lot design,

(3) Areas proposed to be dedicated or reserved for any public use including but not limited to public utility easements, public buildings, and public land uses,

(4) Parking and interior traffic flow, including parking rations,

(5) Land uses adjacent to the external boundary of the P-D site;

b. Site development details, including:

(1) Preliminary building plans, including generalized elevations,

(2) Maximum building heights,

(3) Maximum lot or area coverages,

(4) Minimum distance between structures,

(5) Minimum setbacks from interior lot lines,

(6) Minimum setbacks from street rights-of-way,

(7) Landscaping, screening, and lighting.

(8) Population densities within the planned development;

c. Signing standards, including generalized locations, maximum sizes, maximum height, and lighting arrangements. For purposes of this section, "neighborhood shopping center" shall be defined as a shopping center in which the major tenant is a supermarket. "Major tenant" shall be defined as the tenant occupying the greatest amount of floor space;

d. Land uses proposed to be located within the development;

e. Development schedule, including date of commencement of construction, annual accomplishment, and completion of planned development;

f. Any other reasonably related information necessary for the planning commission to act.

2. The planning department shall accept only such plans that contain the information specified or reasonably determined necessary.

J. Standards. Setbacks, building heights, distances between buildings, lot coverage, parking requirements, and landscaping requirements shall be established by the planning commission for each planned development in a manner which assures the suitable integration of the planned development into the neighborhood or area in which it is located.

K. Density Control. The number of dwelling units shall be determined by dividing the net development area by the minimum lot area of the land use classification for the site proposed for the P-D. Net development area shall be determined by subtracting the area set aside for churches, schools, or commercial use from the gross development area and deducting fifteen percent of the remainder for streets. Open spaces for recreational uses shall be included in determining the number of dwelling units permitted.

L. Revision of plan--Use permit. A public hearing by the planning commission and board of supervisors shall be required prior to issuance of a use permit for revisions of the plan which involve changes in land use, expansion or intensification of development, or a

revision in the standards of development. All other revisions may be allowed after a use permit is approved by the planning commission. A public hearing may be called regarding such changes if deemed necessary by the planning commission.

M. Area Requirements. Minimum parcel size for the consideration of a planned development shall be two and one-half acres exclusive of easements.

N. Public Improvements. Improvement to full county standards of all public rights-of-way abutting and within the development shall be required. In addition, if determined necessary for proper traffic circulation, the applicant may be required to provide proper methods of ingress and egress to the development including acceleration and deceleration lanes, and traffic devices including channelization.

O. Development Schedule. 1. An application for a P-D shall be accompanied by a development schedule indicating the approximate date when construction of the project can be expected to begin, which date shall be no later than one year from the effective date of the approval of the P-D, the anticipated rate of development, and completion date. The development schedule, if approved by the board of supervisors, shall become a part of the development plan and shall be adhered to by the owner of the property covered by the P-D and his successors in interest. The county shall require the posting of a bond to guarantee reimbursement to the county for court costs and attorney's fees of any civil action brought to enforce any provisions of a P-D. The bond is to be in the amount of five thousand dollars.

2. Periodically the planning department shall compare the actual development in the various Planned Developments with the approved development schedules.

3. If, in the opinion of the planning department,, the owner or owners are failing or have failed to meet the approved schedule, the department may recommend the commission initiate proceedings to revoke the approval of the development plan. Upon the recommendation of the planning commission and for good cause shown by the

property owner, the planning commission may also extend the limits imposed by the development schedule.

P. Identification of Planned developments. Each P-D shall be numbered, the first adopted being shown on the specific plan map as P-D 1 and each planned development subsequently approved being numbered consecutively.

Q. Compliance with provisions--Interpretation. 1. Compliance with any requirement shall not be construed to relieve applicant from compliance with subdivision regulations, building code requirements, or any other applicable regulations of the county.

2. A planned development may be accepted with applications for minor or major subdivisions and may be processed simultaneously, including staff review, environmental review, public hearings at the planning commission and board of supervisors.

R. Public hearings. The planning commission shall hold at least one public hearing on the proposed planned development. Notice of the time and place of such hearing and the area affected by the proposed amendment shall be published at least one time in a newspaper of general countywide circulation at least 14 days prior to the hearing. In addition, property owners with property located within six hundred feet of the proposed planned development shall receive notice by mail of such hearing.

S. Report of planning commission--Findings and recommendations. Following the hearing required by Section R., the planning commission shall make a report of its findings and recommendations with respect to the proposed planned development and shall file with the board of supervisors a copy of such report. Such report shall include a statement as to whether the proposed planned development is in conformance with the latest adopted specific plan. If the planning commission deems it advisable, it may recommend that the area under consideration for a planned development be enlarged or diminished.

T. Action by the board of supervisors. Upon receipt of such report from the planning commission, the board of

supervisors shall schedule the matter for public hearing and publish notice thereof as required in Section R. The board of supervisors shall render its decision after consideration of the report and recommendation of the planning commission, public testimony and comments by the applicant, and such decision shall be to deny, conditionally approve, or approve all or part of the proposed planned unit development.

U. Abandonment after proceedings have begun. Upon consent of the planning commission, any application for a planned unit development may be withdrawn by written request of a majority of all persons who signed such application. The planning commission or board of supervisors may by resolution abandon any proceedings for a planned development initiated by its own resolution of intention; provided, that such abandonment may be made only when such proceedings are before such body for consideration; and provided, that any hearing of which public notice has been given shall be held.

V. Site Restoration. Security to the satisfaction of County Counsel is required to restore the property to nearly its natural and original state in the event of abandonment after construction has begun. The amount is to be based on 10% of the total construction cost of the project, or an engineer's estimate of the cost of site preparation and grading. This amount is to be confirmed by the Department of Public Works, covered by a 50% contingency, and guaranteed by an appropriate agreement with the County. Upon completion of the project and final approval by the County, the required security shall be returned to the developer.

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